



Individualized Education Account (IEA) Program

2021-22 Account Holder Handbook

Tennessee Department of Education | August 2021–July 2022

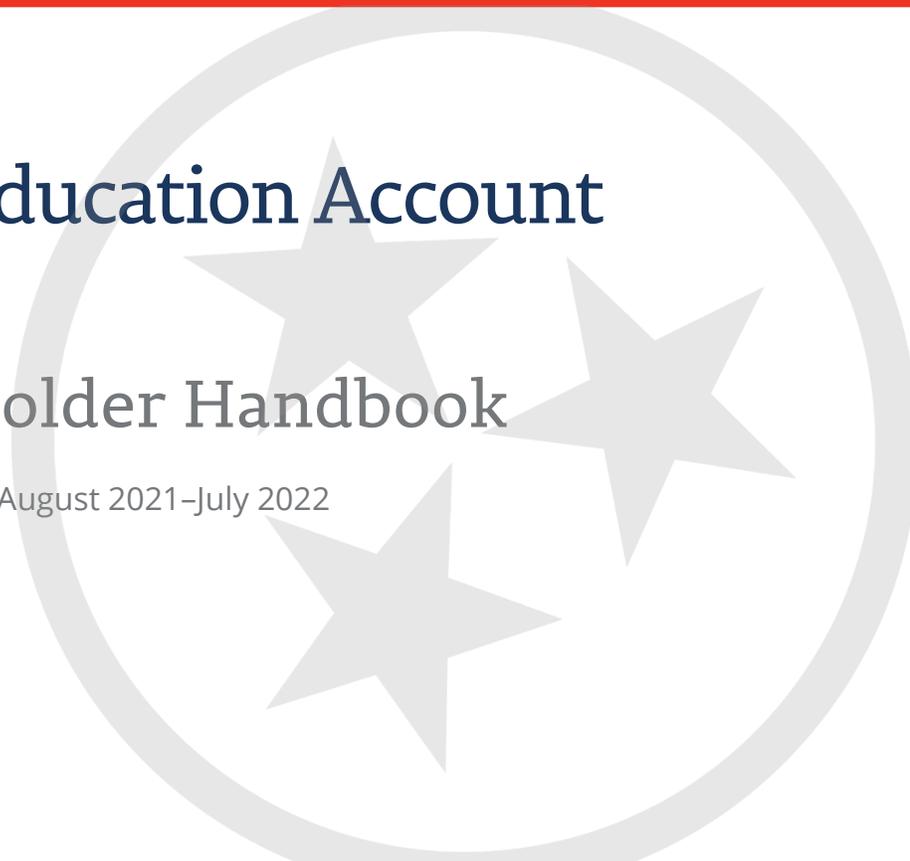


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Chapter 1: Introduction

The IEA Program is a school choice program for eligible students with qualifying disabilities. The IEA Program, administered by the Tennessee Department of Education (department), provides parents, guardians, and qualified students options for choosing the educational opportunities that best meet the individual student's unique needs through access to public education funds.

The IEA Program is funded by the state's Basic Education Program (BEP) funding formula for Tennessee's K-12 public schools. The funds generated by the BEP are divided into state and local educational agency (LEA) shares. The maximum annual IEA award to which an eligible student is entitled is equal to the amount representing the per-pupil state and local funds generated through the BEP for the LEA in which the student resides and is zoned to attend.

Definitions:

In the remainder of this document, the term "**account holder**" will be defined as: the individual (parent, legal guardian, or student who has reached the age of majority) who submits the IEA application, signs the IEA contract, manages the IEA funds, and is responsible for complying with the requirements of the IEA Program.

In the remainder of this document, the term "**parent**" will be defined as: a parent, legal guardian, person who has custody of the child pursuant to an order of a court of competent jurisdiction, or person with educational decision-making authority pursuant to a conservatorship under T.C.A. § 34-3-101 et seq., pursuant to a power of attorney for care of a minor child under T.C.A. § 34-6-301 et seq., or pursuant to a durable power of attorney under T.C.A. § 34-6-101 et seq.

In the remainder of this document, the term "**local educational agency**" (**LEA**) refers to a public board of education or other public authority legally constituted for either administrative control or direction of, or to perform a service function for, public elementary schools or secondary schools in a city, county, township, school district, or other political subdivision of a State.

Purpose of this Handbook

The *IEA Account Holder Handbook* is designed to provide account holders with comprehensive information regarding the IEA Program's policies and implementation procedures. This handbook, along with additional information and answers to frequently asked questions about the IEA Program, is posted on the department's [IEA webpage](#). Please note this handbook is subject to changes at any time necessary during the contract year. The IEA team will notify account holders of any change(s) and the effective date(s).

The Law, Rules, and Procedures

The Individualized Education Act, Tennessee Code Annotated ([T.C.A. § 49-10-1401 et seq.](#)), was signed into law by the Tennessee General Assembly on May 18, 2015, and the first individualized education accounts (IEAs) were awarded in January 2017. The Tennessee State Board of Education (SBE) has approved rules, [Chapter 0520-01-11](#), and the department has developed implementation procedures for the IEA program. Links to the IEA Program Law and Rules are posted on the department's [IEA webpage](#).

Eligibility Criteria for the IEA Program

An eligible student must meet the following eligibility requirements at [T.C.A. § 49-10-1402\(3\)](#) and [SBE Rule Chapter 0520-01-11](#):

- Student is a resident of Tennessee with an active Individualized Education Program (IEP) with one of the following disabilities listed as the primary or secondary disability in effect at the time the department receives the request for participation in the Program: Autism, Deaf-Blindness, Developmental Delay, Hearing Impairments, Intellectual Disability, Multiple Disabilities, Orthopedic Impairments, Traumatic Brain Injury, or Visual Impairments; **and**
- Student meets **one** of the following requirements:
 - Was previously enrolled in and attended a Tennessee public school for the entire school year immediately preceding the school year in which the student receives an IEA;
 - Has not previously attended a K-12 school in Tennessee, but is currently eligible to enroll in a kindergarten program in a public school in this state;
 - Has not previously attended a school in Tennessee during the one full school year immediately preceding the school year in which the student receives an IEA, and moved to Tennessee less than one year prior to the date of enrollment in the IEA Program; **or**
 - Received an IEA in the previous school year.

Term of the IEA

The 2021-22 contractual term of the IEA is projected to begin on August 1, 2021 and end on June 30, 2022. A student who enrolls in the IEA Program will remain eligible for one contractual year unless one of the following occurs for the participating student:

- returns to a public school;
- moves out of the state of Tennessee;
- graduates from high school (including passing the GED or HiSET);
- reaches 22 years of age before Aug. 15 of the next school year (e.g.: a student cannot turn 22 years old on or before Aug. 15, 2021, to be enrolled in the IEA Program for the 2021-22 school year); or
- is removed from the IEA Program by the Department.

Reminder:

If any of the above events occur, the account holder must notify the department by submitting a IEA.Questions@tn.gov and must notify the IEA liaison of the LEA in which the student resides. Contact information for LEA liaisons for the IEA Program is posted on the [IEA webpage](#).

School Options for Students Enrolled in the IEA Program

A participating student must enroll in and attend either a participating non-public school or an independent home school which meets the requirements of the department, including the requirements of Tennessee's school attendance law ([T.C.A. § 49-6-3005](#)). Students enrolled in the IEA Program are eligible to use IEA funds for the approved expenses detailed in Chapter 5 of this handbook; however, to receive IEA funds to pay for tuition, fees, and/or required textbooks for a non-public school, the school must be approved by the department and listed on the IEA program's participating non-public schools list for the IEA contract year. A list of participating non-public schools for the IEA Program is posted on the [IEA webpage](#).

Reminder:

Participating non-public schools are not required to admit students enrolled in the IEA Program and are not obligated to provide students with special education services. Students must meet all requirements for admission set by the participating non-public school.

Resource:

For more information on school options, review the [School Choice resource link](#) posted on the department's website.

Staying Informed About the IEA Program

The department provides program information and resources for account holders on the [IEA webpage](#) and through a monthly *IEA Program Update*, dispersed via email. Please review the *Update* and webpage regularly for important information about the IEA Program. The IEA team will also host training sessions through virtual "Office Hours" to provide technical assistance to IEA account holders. Information about the dates, times, and how to register will be posted on the department's IEA webpage and announced through the *IEA Program Update*. If you are unable to attend a training, the training PowerPoint presentation and a recording of the training webinar will be posted on the IEA webpage.

IEA Program Contact Information:

If you have any questions or need additional information about the IEA Program, please contact the IEA team at: (615) 253-3781 or IEA.Questions@tn.gov.

Secure Email

The Family Educational Rights and Privacy Act of 1974 (FERPA) is the federal law that protects the privacy of student education records. The department ensures that student information is kept confidential and secure. To securely send electronic communications to external users, including IEA account holders and applicants, the IEA team will send any email that contains potentially protected information through Office 365 Message Encryption. Potentially protected information may include the student's name, date of birth, or disability type.

An email sent from the State IEA Program will originate from a tn.gov email address via Office 365 Message Encryption that will list "[secure email]" in the subject line. The body of the email will contain a web link to view the contents of the email. Office 365 Message Encryption will only be used for emails that contain potentially protected information about the student.

Fraud, Waste, or Abuse Reporting

Citizens and agencies are encouraged to report fraud, waste, or abuse in State and Local government. **NOTICE:** This agency is a recipient of taxpayer funding. If you observe an agency director or employee engaging in any activity which you consider to be illegal, improper, or wasteful, please call the State Comptroller's toll-free Hotline: **1-800-232-5454**. Notifications can also be submitted electronically at: <http://www.comptroller.tn.gov/hotline>

Chapter 2: Rights and Responsibilities

Parent & Student Rights Waived in the IEA Program

By signing the *IEA Account Holder Contract* and accepting IEA funding, account holders acknowledge the following:

- The student will have no individual entitlement to a Free Appropriate Public Education (FAPE). Participation in the IEA Program has the same effect as a parental refusal to consent to the receipt of specially designed instruction and related services pursuant to the Individuals with Disabilities Education Act (IDEA) at 20 U.S.C. § 1414.
- The LEA in which the student was previously enrolled is not obligated to provide special education or related services to the student during the term of the IEA, with the exception of services provided under a contract with an LEA, including individual classes and extracurricular programs¹ and/or an Individualized Service Plan (ISP), as determined by the student's IEP team prior to IEA enrollment.
- The student's IEP is no longer in effect and the LEA will not be required to provide accommodations or services listed in the IEP.
- Participating non-public schools are not required to provide special education services for the student.

Parent and Student Rights Retained in the IEA Program

- Students participating in the IEA Program may request an initial evaluation to determine eligibility for special education and related services while they are still enrolled in the program.
- Students enrolled in non-public schools (including umbrella homeschool programs) may request an eligibility evaluation from the local educational agency (LEA) in which the non-public school is located.
- Students enrolled in independent home schools may request an eligibility evaluation from the LEA in which the student resides.
- Upon signing the IEA Account Holder Contract, the account holder has the right to withdraw the student from the IEA Program at any time, following the procedures in Chapter 8 of this handbook, and enroll the student in a public or non-public school, or a home school independent from the Program. Prior to re-enrolling in public school, account holders must notify both the department and the LEA to provide information that the student intends to withdraw from the IEA Program. Please see Chapter 8 for detailed information on these requirements.

Account Holder Responsibilities

By signing the *IEA Account Holder Contract*, account holders commit to the following obligations:

- *Accept full legal responsibility for directing the education of the student, including obtaining services necessary to educate the student:*

¹ This does not release the LEA from evaluating a student if requested in writing by the parent. If the student is homeschooled, the LEA of residency is responsible for evaluating. If the student attends a private school, the LEA in which the private school is located is responsible for evaluating. Students with disabilities may be eligible for some services through their LEA. For information on these services, please contact your student's LEA.

- Enroll the participating student in a non-public private or home school that meets the compulsory school attendance requirements in state law ([T.C.A. § 49-6-3005](#)); and
- Provide an education for the participating student in at least the subjects of English language arts, mathematics, social studies, and science.
- *Research, review, and contract with participating non-public schools, approved therapists, and approved tutors, as needed:*
 - The department does not endorse any school, therapist, tutor, or provider. Account holders are strongly encouraged to thoroughly research the quality and cost of schools, therapists, and tutors for which they contract with for providing educational services to the student.
 - The account holder is responsible for any contract signed with a school, individual, and/or provider and must ensure that the terms of the contract are fulfilled. The department cannot void a private contract, give legal advice, or arrange payment schedules.
 - Account holders must receive pre-approval from the department for educational therapy and tutoring services before the services are provided and/or paid for (see Chapter 6 of this handbook).
 - The account holder is responsible for repayment of all ineligible expenses and any eligible expenses spent in excess of the amount of the IEA (see Chapter 4 of this handbook).
- *Submit quarterly expense reports and receipts to the department.*
 - Account holders are solely responsible for using IEA funds in accordance with the laws, rules, and procedures of the IEA Program.
 - SBE Rule 0520-01-11-.05(7) provides that “the Account Holder shall submit expense reports and receipts for all IEA funds expended in accordance with procedures set by the Department.” Section 4(D) of the IEA Account Holder Contract states that the Account Holder “must submit documentation of all IEA expenditures on a quarterly basis” and “[a]t minimum, documentation must include . . . receipts for each expenditure.” Each quarter, account holders must submit to the department expense reports and receipts showing a record all expenses paid using IEA funds in that quarter, by the dates set by the department. The receipts and expense reports must match the IEA debit card account statements (see Chapter 7).
- *Comply with all the state laws, rules, and procedures for the IEA Program.*
 - As required by state law, [T.C.A. § 49-10-1403 \(e\)](#), if a student is in grades 3–8, the account holder must submit verification to the department indicating that the student has taken **either** a nationally norm-referenced test(s) approved by the department **or** the Tennessee Comprehensive Assessment Program (TCAP) test(s), or any future replacements of the TCAP tests, in at least the subjects of mathematics and English language arts (ELA). Please see Chapter 3 of this handbook for details, including exemption status, if relevant.
 - Account Holders are not required to spend the entire IEA sum each year; however, at least fifty percent (50%) of the amount of annual funding disbursed into the IEA account must be spent on approved expenses by the deadline for submission of the last expense report of each contract year. [SBE Rule 0520-01-11-.04\(6\)](#). See Chapter 4 for details.
 - The relevant laws, rules, and procedures that account holders must follow are explained in this handbook. Links to the IEA Program law and SBE Rule are posted on the department’s [IEA webpage](#).

If an IEA account holder fails to comply with these requirements, the student is subject to removal from the IEA Program. Students who are removed from the IEA Program may not be allowed to reapply to the program. Account holders may appeal removal from the IEA Program following the procedures in Chapter 8.

Reminder:

Failure to comply with any state law, rule, procedure, or contractual obligation may result in the student's IEA being suspended or the student being permanently removed from the IEA program.

Common issues that result in suspension or termination of the IEA include:

- Failure to appropriately spend IEA funds;
- Failure to submit a complete Quarterly Expense Report form, with receipts, by the deadlines set by the department;
- For students in grades 3-8, failure to submit proof that the participating student has completed the IEA program assessment requirements and submit a complete Assessment Verification Form and Score Report by the deadline set by the department; and
- Failure to notify the department within seven (7) calendar days if any of the account holder's or student's information changes (e.g., physical address, email address, phone number, change in school or grade level, name change, or return to public school, graduation from high school).

Students Reaching the Age of Majority

Unless there has been a previous legal determination that a non-minor student is incompetent to make educational decisions, all educational rights transfer to the student upon reaching the age of majority (age of 18). This includes the right to determine whether the student will continue to waive individual rights under the Individuals with Disabilities Education Act (IDEA) and continue participation in the IEA Program or exercise the right to cancel the IEA and withdraw from the IEA program.

Once a student has reached the age of majority, to continue participation in the Program during the current year or to renew an IEA for the following school year, the student or account holder must complete one of the following:

- The student, acting as the IEA account holder, must sign and submit an [IEA Renewal Student Application](#) by the deadline established by the department. The student will be responsible for all IEA account holder responsibilities outlined in this handbook, including completing all IEA forms and use of IEA funds; **or**
- The student, acting as the IEA account holder, must sign and submit a notarized power of attorney document that conforms with T.C.A. § 34-6-101 *et seq.*, and states that the attorney-in-fact (the parent applicant) has the authority to make:
 - 1) educational decisions regarding placement and participation of student in the IEA Program; **and**
 - 2) banking and financial decisions and transactions as limited to management, control, and access of the IEA; **or**
- The parent applicant must provide to the department documentation showing that he or she has been appointed as conservator of the student. The documentation must explicitly state that the conservator has the ability to make educational and financial decisions for the student (See Page 12 for more information on submission of required documentation).

Updating Account Holder and/or Student Information

Account holders must regularly verify/update contact information on file to ensure regular and timely communications from the department. This includes, but is not limited to, any changes made to the following:

- Email address
- Physical address
- Phone number
- School type (i.e., independent home school, private school)
- Student's grade level
- LEA of residence
- Change in legal status (i.e., conservatorship or Power of Attorney documentation)

Account holders must report any of the aforementioned changes to the department by submitting the [Account Holder and Student Information Update Form](#). Access to all forms is available on the [IEA webpage](#). Please note that failure to timely report changes to the department will result in a delay of the next, and possibly future, IEA funding disbursements.

Address Changes:

The account holder must submit the [Account Holder and Student Information Update Form](#) along with the following documentation:

- Proof of residency showing the account holder's name and physical address (Examples: a copy of most recent utility bill, current rental agreement, current property tax bill, affidavit from a landlord, or most recent mortgage statement); **and**
- A [W-9 form](#) listing the account holder's name (not spouse's name) and physical address.

Name changes:

If the account holder's legal name changes, the account holder must submit the Account Holder and Student Information Update Form along with the following documentation:

- Proof of legal name change (examples: marriage license, current driver's license, etc.); **and**
- A [W-9 form](#) listing the account holder's name and physical address.

Grade level changes:

If the student's grade level changes from what was reported on the New Student or Renewal Student applications, the account holder must submit the [Account Holder and Student Information Update Form](#) along with the following documentation:

- A letter from the home school coordinator in the LEA listing the grade level of the student; **or**
- A letter from the private school that the student attends stating the grade level of the student.

Required Notice of Student's Legal Status Change

If the student has reached the age of majority (age 18), the student or the account holder who holds conservatorship or Power of Attorney (POA) for the student must submit, within 45 days of the student turning the age of 18, the [Account Holder and Student Information Update Form](#) along with the following documentation:

- Notarized power of attorney document that conforms with T.C.A. § 34-6-101 *et seq.*, and states that the attorney-in-fact (the parent applicant) has the authority to make educational decisions regarding

placement and participation of student in the IEA Program and banking and financial decisions and transactions as limited to management, control, and access of the IEA; or

- The applicant parent must provide to the department documentation showing that he or she has been appointed as conservator of the student. The best documentation is generally the Order Appointing a Conservator that has been signed by the judge. The documentation must explicitly state that the conservator has the ability to make educational and financial decisions for the student.

Required Notice of LEA Change

Each eligible student who participates in the IEA Program must be counted in the enrollment figures for the LEA in which the student resides and is zoned to attend. If a student enrolled in the IEA Program moves from one LEA to another, the account holder must provide written notification to the department, the IEA liaison of the LEA that the student has moved from, and the IEA liaison of the LEA the student has moved to, within seven (7) calendar days from the date the student's residence changed. The current list of LEA liaisons can be found under the "Resources" section of [the IEA's webpage for parents and students](#). An account holder's failure to timely report a change in LEA residence will result in a delay of the next, and possibly future, IEA funding disbursements.

Reminder:

Forms and supporting documentation must be received by the department within seven (7) calendar days of any of the above changes being effective. Failure to provide this information to the department by the seven-day deadline may result in the suspension of the IEA account and/or removal of the student from the IEA Program.

The IEA account holder must also notify the IEA district liaison within seven (7) calendar days from the date the student's residence changed.

Required Notice of School Transfer

If a student enrolled in the IEA Program transfers to or from a participating school in the IEA Program, the account holder must notify the department within seven (7) calendar days from the date the student was withdrawn from/enrolled in the participating school by completing and submitting the [Notice of School Transfer Form](#) and providing the supporting documentation requested on the form. On the form, account holders must include whether or not the school the student withdrew from will be issuing a refund for any tuition/fees that were pre-paid using IEA funds, if applicable.

Reminder:

If the [Notice of School Transfer Form](#) is not submitted to the department within seven (7) calendar days from the date the student was withdrawn from/enrolled in the school along with all the required documentation, the department may suspend a student's IEA or remove the student from the IEA Program.

Account holders must also notify the IEA liaison of the LEA in which the student resides if the student transfers from a home school to a private school or from a private school to a home school.

Late Reports & Non-Submittal of Requested Documents

Account holders must submit all required documentation and reports by the deadlines set by the department including, but not limited to:

- all application forms and supporting documentation;
- contract forms and supporting documentation;
- expense reports and receipts;
- assessment verification form and score report (or proof of exemption, if applicable);
- student/parent information updates, if applicable; and
- notice of school transfer, if applicable;

If an account holder does not submit the required documentation and reports by the deadlines established by the department, the department may freeze (suspend) the IEA, and/or remove the student from the IEA Program following the procedures in Chapter 8 of this handbook.

Freezing (Suspending) or Closing of an IEA

In accordance with the [IEA Act](#) and [SBE Rules](#) for the IEA Program, the department will enforce all account holder requirements and responsibilities outlined in this handbook. The department has the authority to freeze (suspend) IEA funds in the debit card account, withdraw existing funds from the account, and/or close the account for reasons including, but not limited to:

- fraud;
- misuse of funds;
- failure to submit complete forms by deadlines;
- failure to comply with the terms of the state laws, rules, department procedures, or the IEA Account Holder Contract;
- if the student returns to the LEA;
- if the student exits the IEA Program; or
- if funds were deposited into the account in error (See Chapter 8).

Note: Expenditures of any IEA funds after a department determination of misuse will categorically result in the immediate termination of the IEA Contract and the student's immediate removal from the IEA Program.

Appeal Procedures: Request for Reconsideration

In accordance with [SBE Rule 0520-01-11-.10](#), an account holder may appeal any department decision regarding the following determinations:

- a denial of determination of eligibility;
- a denial of an expense paid using IEA funds; and/or
- removal of the student from the IEA Program

To appeal a department decision, the account holder must complete the following:

- **Step 1:** Step One appeals shall be reviewed by the commissioner or the commissioner's designee. Step One appeals must be submitted to the Department within fourteen (14) calendar days of the Department electronically sending the determination that is being appealed. The day that the Department sends the determination shall not count as part of the fourteen (14) calendar days. To file a step one appeal, complete the step 1 [UAPA Appeal Form](#) posted on the [IEA webpage](#) and email the

completed form to IEA.Questions@tn.gov. Appeal forms submitted after the deadline, incomplete appeal forms, or appeal forms with vague language that does not clearly articulate the issue on appeal will not be reviewed. The Department shall make a determination and issue an electronic notification to the appealing party within forty-five (45) calendar days of receiving the Step One appeal.

- **Step 2:** If the Department denies the Step One appeal, the appealing party may file a Step Two appeal. Step Two appeals shall be reviewed by an administrative law judge in accordance with the procedures set forth in the Uniform Administrative Procedures Act, T.C.A. §§ 4-5-301 et seq. Step Two appeals must be submitted to the Department within thirty (30) calendar days of the Department electronically sending the Step One determination. The day that the Department sends the Step One determination shall not count as part of the thirty (30) calendar days. To file a UAPA appeal, please complete the [UAPA Appeal Form](#) posted on the [IEA webpage](#). After the UAPA appeal form has been submitted to the department, you will be notified by an administrative law judge who will set the date and time of your hearing.

IEA Renewal

To renew an IEA for the following school year, the account holder must complete the following:

- Submit a Renewal Student Application to the department, including all supporting documentation by the deadline posted on the IEA webpage;
- Read the IEA Account Holder Handbook for the new school year (the handbook will be posted on the IEA webpage);
- Submit a signed IEA Account Holder Contract for the new contractual year, including all supporting documentation (e.g., IEA Account Holder Assurances Form and FERPA Waiver Form) to the department by the deadline posted on the IEA webpage; **and**
- Before August 1, provide written notice to the IEA liaison of the LEA in which the student resides that the student is renewing the IEA.

Reminder:

- Completed renewal applications and contracts must be submitted to the department by the deadline posted on the Key Dates section of the IEA webpage;
- If any of these steps are not completed by the deadlines, the student will not be enrolled in the IEA Program for the following school year. Failure to renew the student's IEA because one or more of the steps above were not completed by the deadline(s) cannot be appealed (SBE Chapter 0520-01-11);
- The IEA renewal requirements above apply to any student in the IEA Program who reaches the age of 18 prior to August 1 of the next school year.

Chapter 3: Student Assessment & Reporting

As required by state law, [T.C.A. § 49-10-1403 \(e\)](#), if a student is in grades 3–8, the account holder must submit verification to the department indicating that the student has taken **either** a nationally norm-referenced test(s) approved by the department **or** the Tennessee Comprehensive Assessment Program (TCAP) test(s), or any future replacements of the TCAP tests, in at least the subjects of mathematics and English language arts (ELA).

Students with disabilities who would have participated in the alternate assessment, **as determined on the student's IEP (active at the time of initial application to the IEA Program)**, are exempt from the assessment requirement. Decisions regarding a student's participation in the TCAP Alternate Assessment are made solely by the student's IEP team and no alternate nor abbreviated testing determinations may be made outside of an IEP meeting. The IEA Program cannot make any decisions regarding a student's participation in the TCAP Alternate Assessment. Only those students for whom the IEP, active at the time of enrollment into the IEA Program, listed that the student would participate in the Tennessee Alternate Assessment, as shown in the example below, are exempt from this assessment requirement.

State/District Mandated Tests		
<input type="checkbox"/> Student will participate in the following state/district mandated assessment(s):		
<input type="checkbox"/> Achievement	<input type="checkbox"/> EOC	<input checked="" type="checkbox"/> Tennessee Alternate Assessment
<input type="checkbox"/> WIDA Access	<input type="checkbox"/> WIDA Access (Alternate)	
<input type="checkbox"/> ACT	<input type="checkbox"/> EXPLORE	<input type="checkbox"/> PLAN
District Assessment:		
<input type="checkbox"/> No Accommodations	<input type="checkbox"/> Accommodations	

Reminder:

All account holders of students who are in grades 3-8, even those students who have proof of exemption, are required to annually submit an assessment verification form to the department within the deadlines established by the department.

Please note: Students who take the TCAP assessment, must take the regular TCAP assessment (not the TCAP-Alt/portfolio assessment) and will not be entitled to testing accommodations under the Individuals with Disabilities Education Act (IDEA). The department will not publicly release individual student data.

To remain in the IEA Program, participating students cannot be medically exempt from the statutory testing requirements. If requested by the parent/legal guardian, LEAs must administer the TCAP test(s) to an independent home-school student, if the student:

- resides in the LEA;
- is in grades 3-8; and
- is enrolled in the IEA Program.

If the student is participating in the TCAP assessment, IEA account holders must contact either the school district or the private school that will administer the assessment and register for the assessment by **December 15**. of the participating school year. Account holders may use IEA funds to pay for test fees, including the cost to administer the test, following the guidelines in Chapter 5.

Reminder:

Account Holders are encouraged to make assessment decisions early in the school year to ensure that:

- the school of choice is able to administer the test, **and**
- account holders will be able to submit the score report to the department by established deadlines.

List of Approved Norm-referenced Tests

Students may participate in any of the following norm-referenced achievement tests that are approved by the department to fulfill the assessment requirement. Account holders may use IEA funds to pay for the assessment.

- California Achievement Test (CAT)
- TerraNova
- Iowa Test of Basic Skills (ITBS)/Iowa Assessment
- Tests of Academic Proficiency (TAP)
- Metropolitan Achievement Test (MAT)
- Stanford Achievement Test (SAT 10)
- Comprehensive Testing Program (CTP) IV - Educational Records Bureau (ERB)
- ACT Aspire
- Scantron Performance Series
- Woodcock Tests of Achievement, Fourth Edition (WJ-IV) Test
- MAP Growth Test
- Wechsler Individual Achievement Test, Third Edition

Account holders may submit a request to the department to add to the list of approved norm-references assessments. The request should be emailed to IEA.Questions@tn.gov and should include the following:

- Name of the requested assessment;
- Name of the assessment vendor; and
- A web link to the assessment vendor's website where a description of the assessment is posted.

Requests for a norm-referenced test that is not currently listed on the department's list of approved norm-referenced test options must be submitted each year for the student. Upon written request, the department will review any request to add a norm-referenced assessment to the approved list and will notify the account holder of the status of the request within 30 calendar days. Account Holders are encouraged to submit requests as early as possible in the school year to ensure that the department has time to review and approve the test and the account holder has time to administer the test before the deadline. Before submitting a request, account holders should review the following definition of a norm-referenced test:

Definition:

Norm-referenced refers to standardized tests that are designed to compare and rank test takers in relation to one another. Norm-referenced tests report whether test takers performed better or worse than a hypothetical average student, which is determined by comparing scores against the performance results of a statistically selected group of test takers, typically of the same age or grade level, who have already taken the exam.¹

Where do students take the assessments?

Assessment	Private School Students	Home-School Students
TCAP tests (or any replacement tests)	Account holders may contact the student's private school to request that the test be ordered from the department. The private school will administer the test.	Account holders should contact the LEA with which the student is registered to schedule for the student to take the assessment.
Norm-referenced assessments	Account Holders should contact the student's private school to inquire if the school can order and administer the test. Depending on which test the account holder chooses, the test could be ordered directly from the testing company or administered through a local testing center.	Depending on which test the account holder chooses, the test could be ordered directly from the testing company or administered through a local testing center.

Required Assessment Verification

Account holders must submit annual verification that students in grades 3–8 have completed one of the approved aforementioned assessments **or** must submit exemption verification (e.g., copy of the Student's IEP page indicating participation in the Tennessee Alternate Assessment).

Note: Grade levels for students participating in the IEA Program are in accordance with department records, not individual instructional levels or private school placements. As each student in the IEA Program is required to be registered with the LEA in which they reside, the student's grade level will be listed in accordance with such records.

For all students in grades 3-8, account holders must complete and submit to the department a [Student Assessment Verification Form](#) by the deadline posted on the IEA webpage (Key Dates). Along with the [Student Assessment Verification Form](#), if the student takes a norm-referenced assessment instead of the TCAP, the account holder must submit copies of the student's assessment score report that includes all of the following:

- Name of the student;
- Name of the norm-referenced assessment;
- Date the assessment was administered;
- Location where the assessment was administered (e.g., name of the school or testing center); and
- Student's demonstrated progress on the assessment (e.g., the test score).

Reminder:

Failure to submit an Assessment Verification Form and copies of the student's assessment score report and/or proof of exemption, if applicable, by the deadline set by the department can result in removal of the student from the IEA Program. Students of account holders who do not submit the form and supplemental materials by the deadline established by the department may be prohibited from participating in the IEA Program in the future.

Chapter 4: Access to IEA Funds

Account holders will receive access to IEA funds (state and local public education funds) via a debit card account. The IEA funds are administered by the department through a state contract with Conduent, State & Local Solutions, Inc.

- **The IEA Program is direct payment only. The IEA Program will not reimburse account holders for any personal funds spent.**
- IEA funds may only be used for approved educational expenses that meet the criteria in Chapters 5 and 6 of this handbook.
- All IEA fund expenditures must be reported to the department within established deadlines and all invoices/receipts submitted with the required quarterly expense reports must match the quarter that the services are provided (See Chapter 7 for detailed information on filling out expense reports).
- Use of IEA funds must be for the sole benefit of the participating student for which the IEA account is established. Any services, resources, and/or equipment purchased using IEA funds must only be used by the participating student whose IEA paid for said services, resources, and/or equipment.

IEA Debit Card

To participate in the IEA Program, account holders must give permission to the issuer of the debit card (Conduent) to share with the department any and all information regarding any transactions made with the card. This completed and signed permission form must be received by the department by the deadline set by the department and before the IEA debit card is issued to account holders.

Resource:

Debit Card Customer Service: For card balance, transaction history, and more, use the Way2Go Card mobile app, GoProgram.com, or call **1-855-462-5889** (accessible 24 hours a day).

Account holders with multiple students participating in the IEA Program will receive a debit card for each participating student. If an account holder has multiple students enrolled in the IEA Program, the department will inform the account holder of the debit card numbers that are assigned to each student.

The funds on the debit card may only be used for the participating student for whom the card number is assigned. If funds from one student's IEA debit card are used to pay for another student's educational expenses, those funds will be considered misspent.

To prevent misuse of funds, account holders are encouraged to put a small sticker on the debit card to identify that the debit card is for the IEA Program only, and, in cases in which the account holder has multiple students enrolled in the IEA Program, to distinguish which card is assigned to each student.

Reminder:

Only the account holder is authorized to use the IEA debit card. If anyone other than the account holder uses the card, it is a violation of the *IEA Account Holder Contract*, and any expenses on the debit card that are used by anyone other than the account holder will be considered misspent and will be considered fraudulent use of funds.

Receiving the IEA Debit Card

Account holders will receive an assigned IEA debit card after the signed contract date listed on the *IEA Account Holder Contract*.

The IEA debit card will be mailed to the account holder's mailing address on file with the department, as submitted on the IEA student application. If the account holder's address has changed after submitting the IEA student application, the account holder must submit an [IEA Account Holder Update Form](#) to the department **and** must notify the IEA team at IEA.Questions@tn.gov in order to receive the IEA debit card. (See Chapter 2 for information on updating contact information.)

Resource:

The IEA debit cards are mailed to account holders by Conduent, not the department. If the debit card is lost or destroyed, the account holder must contact Conduent's customer service line to request a new debit card.

To contact Conduent, please call **1-855-462-5889**.

Please Note: The IEA team is unable to request a replacement card or change the listed address on file with the bank. The account holder must contact Conduent directly. If you have not received a debit card within **30 days** of signing the IEA Account Holder Contract or requesting a new debit card, the **accounts holder should contact Conduent for assistance.**

Activating the IEA Debit Card

Upon receipt of the IEA debit card, the account holder must follow the instructions included with the debit card to activate the card. **Any issues or assistance needed with activating the card should be directed to Conduent.** There are currently no fees associated with the use of an IEA debit card. However, some merchants and/or organizations may charge a fee to process transactions using the IEA debit card.

IEA Debit Card Restrictions

IEA debit cards have certain restrictions to ensure that IEA funds are spent in accordance with state law including:

- **No cash withdrawals, cash advances, or cashier's checks may be issued with the IEA debit card. Any attempted cash withdrawal will result in an immediate suspension of the IEA account and is grounds for removal of the student from the IEA Program;**
- Debit cards may only be used to make purchases from merchants who provide services or sell products that are IEA-approved educational expenses (See Chapter 5). IEA debit cards have restricted Merchant Category Codes (MCCs). MCCs are four-digit numbers assigned to a business by credit card companies when a business is set up to accept credit cards as a form of payment.

Resource:

If your debit card is declined, please contact **Conduent, 1-855-462-5889**.

If Conduent informs you that your card is declined due to a Merchant Category Code (MCC) restriction, please contact the IEA team at IEA.Questions@tn.gov.

IEA Debit Card Refunds

Account holders may not accept any payment, refund, or rebate of IEA funds from a provider of any goods or services for the IEA Program. Account holders must report refunds of prepaid tuition, fees, items, and/or services to the department **within fifteen (15) calendar days** of the date of the return.

All refunds from a participating school/provider must be sent directly to the department for credit to the student's IEA account. Refunds must be received by the department **within fifteen (15) calendar days** of the service being canceled, the item being returned, or the student's withdrawal from the school.

All refunds should be placed back on the IEA debit card by the vendor. If the provider is unable to refund the funds directly back to the IEA debit card, the provider must mail the department a certified check or money order matching the amount of the refund.

Checks or money orders should be made payable to *Tennessee Department of Education*.

With the check or money order, the provider must include a letter with the student's name, account holder's name, and the reason the funds are being returned to the state.

Mail the check and letter to:

Tennessee Department of Education
Individualized Education Account Program
Attention: Heather Anderson
710 James Robertson Parkway
Andrew Johnson Tower
Nashville, TN 37243

Receipt of IEA Funding Disbursements

IEA funding is disbursed, via the IEA (Way2Go) debit card, in quarterly payments throughout the IEA contract year. The projected dates for the 2021-22 IEA funding disbursements are listed below, in Chapter 7 of this handbook, and are also posted on the [IEA webpage](#).

Quarter	IEA Funds Disbursement (projected dates)
1	Aug 20
2	Nov 15
3	Feb 15
4	May 15

Account holders may sign up for automatic notifications of deposits at www.GoProgram.com by following the instructions included with the debit card. If the IEA expense report is not submitted by the deadline, and/or is incomplete, there may be a delay in disbursement of the next IEA payment depending on if/when the expense report is approved. If the department determines that IEA funds are misspent due to failure to timely submit quarterly expense reports and/or misuse of IEA funds, future IEA disbursements will be reduced by the amount of the misspent funds or current IEA funds will be withheld. Any questions may be directed to IEA.Questions@tn.gov.

IEA Funds – 50% Spending Requirement

Account Holders are not required to spend the entire IEA sum each year; however, at least fifty percent (50%) of the amount of annual funding disbursed into the IEA account must be spent on approved expenses by the deadline for submission of the last expense report of each contract year. [SBE Rule 0520-01-11-.04\(6\)](#).

For Example:

If the total amount of the IEA award for the school year is \$6,000, with four disbursements of \$1,500 each quarter, the account holder must have spent at least \$3,000 (50% of total) on approved IEA expenses by the submission deadline for the final expense report of the contractual year.

If overall spending does not equal or exceed 50% of the total annual award by the deadline for the final expense report, and if the IEA is renewed for the following year, the department will subtract the amount from the first IEA disbursement (and further disbursements if needed) in the following contract year.

For Example:

Following the example above, if the account holder spends \$2,900 of the total IEA award amount of \$6,000 for the school year, this amount is not equal to or greater than 50% (\$3,000); therefore, the department would subtract \$100 from the first IEA payment for the next contractual school year in order to meet the 50% requirement.

A portion of the IEA funds not spent in the school year will roll over. Any IEA funds (of the 50% allowable carry-over) which are not spent during the school year will remain in the student's IEA debit card account and account holders may use those funds on qualified expenses in subsequent school years as long as the student remains in the IEA Program.

Reminder:

The amount of funds spent from the account on approved IEA expenses must be greater than or equal to 50% of the total annual award by the deadline established by the department for the submission of the final expense report.

Note: If an account holder chooses to open either an ABLE-TN or Coverdell account in order to meet the statutory 50% spending requirement for the contract year, requests to open such accounts must be received by the department no later than 30 days prior to submission of the final expense report of the contract year in order to allow time for the account holder to receive and deposit the funds and then provide proof of deposit submitted with the final expense report (see Chapter 5 for more information).

Internal Revenue Service (IRS) ~ Form 1099

The IEA Act provides that IEA funds are not considered taxable income under *state* law. However, any IEA funds that an account holder receives may be considered taxable income under *federal* law. If you have questions about the tax implications of the IEA Program, please contact the Department of Finance & Administration and/or consult with a tax professional.

Misspent IEA Funds

To ensure the integrity of the IEA Program, the department will closely monitor the use of all IEA funds to ensure the funds are only spent on approved expenditures (which includes receiving pre-approval before using the IEA funds to pay for services/items, if applicable, as explained in Chapters 5 and 6).

The department has a zero-tolerance policy for misuse of IEA funding and will take the following actions if a determination has been made that an account holder has misspent IEA funds:

- The department will notify the account holder, via email, that a determination has been made that IEA funds were misspent. The notice will include the amount of funds that have been determined as misspent along with appeal information.
- If the account holder believes the funds were properly spent, the account holder will have 14 calendar days from the date of receipt of the notice of misspent funds to submit an appeal following the procedures outlined in Chapter 2 of this handbook.
- The department reserves the right to withdraw funds, if funds exist, directly from the IEA debit card account to cover the amount of the misspent funds determination and/or to request repayment from the account holder **or** the department will withhold the amount of any determined misspent funds from the student's next IEA disbursement. If the student is not participating in the IEA Program as of the date of the next disbursement, the account holder must repay the funds directly to the state following the repayment procedures outlined on page 25 of this handbook. Pursuant to Section 7 of the IEA Account Holder Contract, any repayments of misspent IEA funds that are not received by the department in a timely manner may be referred to the Tennessee Attorney General's Office for recoupment.
- The IEA debit card account may be frozen (suspended) until all the misspent funds are repaid, and/or the student may be removed permanently from the IEA Program.

The next IEA payment will not be disbursed into the account until the misspent funds are repaid in full. Repaying misspent funds will not remove the misspent funds status from record. Once funds are misspent (including failure to report expenses within department deadlines), the student's IEA records will reflect that funds were misused. Future misspending of IEA funds will result in removal from the IEA Program.

If the account holder uses IEA funds to pay for non-approved expenses, the account holder should notify the department by emailing IEA.Questions@tn.gov and should also self-report this in the "disallowed expenses" section on the expense report for that reporting period. Misspent fund amounts will be pulled from the IEA or withheld from the next disbursement. Account holders cannot use personal funds to repay misspent funds as long as the student remains in the IEA Program.

The department may refer cases of substantial misuse of monies to the Tennessee attorney general's office or the state comptroller's office for investigation if the department obtains evidence of fraudulent use of IEA funds.

IEA Suspension

If the department makes a determination of misspent funds and freezes (suspends) the account, the account holder may appeal this determination through the appeal process outlined in Chapter 2 of this handbook. If

the account holder's appeal is approved **and if the account holder has resolved the infraction(s), as determined by the department**, the IEA suspension may be lifted. However, to reinstate a suspended account, the account holder may be required to contact Conduent directly to request that a new debit card be issued. This process could take up to 3 weeks and may result in a delay or denial of the next IEA funds disbursement.

Reminder:

- In accordance with the state rules and procedures for the IEA Program, the department has the authority to freeze (suspend) funds in the debit card account, withdraw existing funds from the account, withhold funds from future disbursements, and/or close the account and permanently remove any participating student from eligibility for an IEA if the Account Holder fails to comply with the terms of the IEA agreement or applicable laws, rules or procedures, or misuses IEA funds.
- The account holder may appeal the department's decision regarding misspent funds following the appeal procedures outlined in Chapter 2 of this handbook.

Repayment of Misspent Funds

If the student has exited or been removed from the IEA Program and the department sends a notice that the account holder must repay misspent funds, the account holder must mail the department a certified check or money order matching the amount of the misspent funds determination. Checks should be payable to: *The Department of Education*. With the check or money order, the account holder must include a letter with the student's name, account holder's name, and the reason the funds are being returned to the state. Mail the check and letter to:

Tennessee Department of Education
Attn: Individualized Education Account (IEA) Program
Division of Federal Programs and Oversight
710 James Robertson Parkway
Andrew Johnson Tower
Nashville, TN 37243

Chapter 5: Approved Use of IEA Funds

The IEA Act lists thirteen (13) expense categories for the approved use of IEA funds. All expenses must be for the sole educational benefit of the student enrolled in the IEA Program. The purchase date and/or date of service must be during the *IEA Account Holder Contract* period (Aug 1–June 30) for the 2021-22 participating year. The IEA Program is direct payment only. **The IEA Program will not reimburse account holders for any personal funds spent.** The following table includes a description of the approved IEA Program expenses.

Approved Expense Category	Expense Qualifications	Requires Pre-Approval
Tuition, Fees, and Required Textbooks at a Participating Private School	The private school must be listed on the department’s approved list of IEA participating schools for the participating school year on the IEA webpage (Not all fees are an approved use of funds; see the section below for a list of allowed fees).	No
Tutoring Services	Tutoring services are supplementary instruction in an academic subject area provided to support/enhance the primary instruction that a student receives in a lesson, course, and/or classes. Tutoring services are not the primary instruction; lessons and classes do not count as tutoring services. All services must be provided by an accredited individual or organization which meets the qualifications outlined in Chapter 6 of this handbook. Tutoring services must be provided in the approved subject areas listed in Chapter 6.	Yes (Form)
Educational Therapies	“Educational therapies” are defined as individualized services designed to develop or improve academic performance through instructional and therapeutic techniques. The therapy must be for the educational benefit of the participating student and provided by a therapist who meets the licensure requirements listed in Chapter 6 of this handbook.	Yes (Form)
Curriculum	“Curriculum” is defined as instructional educational materials for a particular content area or grade level, including any supplemental materials required by the curriculum.	No
Computer Hardware or Technological Devices	IEA funds may be used to purchase computer hardware or technological devices pre-approved by the department or a licensed treating physician, if the computer hardware is used for the student's educational needs and is a required device for communication or physical access to instruction due to the adverse impact of the disability for which the student qualifies to receive and IEA or allows a student to access instruction or instructional content. IEA funds may not be used to purchase any software at any time.	Yes (Form)
Test Fees	Includes nationally standardized norm-referenced achievement tests, Advanced Placement tests, or any examinations related to post-secondary college or university admission.	No

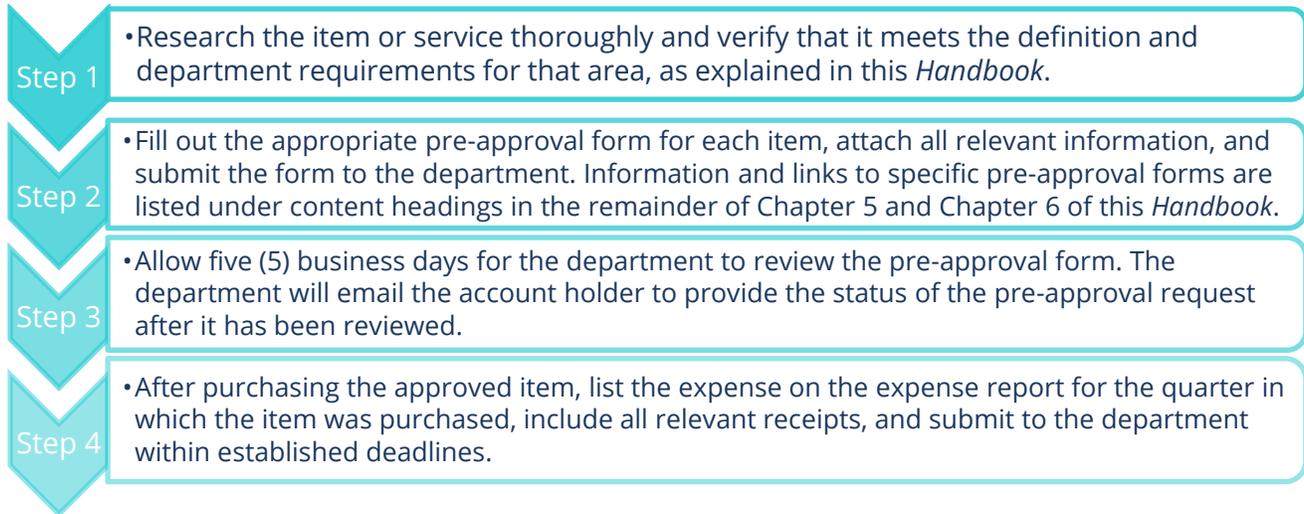
Approved Expense Category	Expense Qualifications	Requires Pre-Approval
Tuition/Fees for Online Learning Program/Courses	Individual courses provided by a virtual education program or other online learning programs. IEA funds may be used to pay for tuition and/or fees for part-time enrollment in online learning programs. IEA funds cannot be used to pay for a student's full-time enrollment in an online learning program unless the school providing the program is a private school approved to participate in the IEA Program.	Yes (Form)
Public School Services	Services provided under a contract with a public school, including individual classes and extracurricular programs.	No
Tuition, Fees, and Required Textbooks at Post-secondary Institutions	Must be used for the sole benefit of the participating student at a Tennessee community college, college of applied technology, university included in the University of Tennessee system, locally governed state university within the Tennessee Board of Regents system, or an accredited private post-secondary institution.	No
Transportation	Defined as fees for transportation paid to a fee-for-service (i.e., commercial) transportation provider. Transportation fees may only be used for transportation to/from schools and educational providers (including tutors and therapists).	No
ABLE TN Account Contributions	Achieving a Better Life -Tennessee (ABLE TN) is a savings program designed to help individuals with disabilities put aside money to pay for future qualified expenses. These accounts provide the opportunity to save and invest with tax-free earnings to help participants maintain independence and quality of life.	Yes (ABLE Form)
Coverdell-530 Education Savings Account Contributions	A Coverdell-530 education savings account is a tax-deferred trust that assists families of individuals with disabilities for future educational expenses. It is authorized by 26 United States Code §530, for the benefit of a participating student.	Yes (Coverdell Form)
Debit Card Fees	Fees related to using the IEA debit card There are currently no debit card fees for the IEA debit card.	No

Reminder:

In accordance with the state rules and procedures for the IEA Program and this handbook, the department has the authority to freeze (suspend) funds in the debit card account, close the account, and/or withdraw funds from the account, for reasons including, but not limited to misuse of IEA funds, failure to receive required pre-approval for certain purchases, or fraudulent use of IEA funds.

Required Pre-Approvals: Basic Instructions

Please review the remainder of this chapter for more information on each approvable expense along with detailed instructions for acquiring items that require department approval prior to purchase. The following chart outlines the basic steps for the pre-approval process:



Tuition, Fees, and/or Textbooks Required at a Participating Private School

Account holders may use IEA funds to pay for tuition, fees, and/or required textbooks at an IEA participating school that is approved by the department. A complete list of the approved [IEA Participating Schools](#) may be reviewed on the [IEA webpage](#). In addition, for more information on the approval process for participating schools, including rights and responsibilities, the [IEA Private School Handbook](#) may also be found on the IEA webpage. Please note the following:

- Participating schools are not required to admit students enrolled in the IEA Program, and students must meet all requirements for admission set by the school.
- Participating schools set their admission policies and tuition/fees. Participating schools may charge tuition/fees above the amount of the IEA award.
- Account holders may only prepay for tuition and/or services at a participating school for services rendered during the IEA contract period for that school year.
- IEA funds **cannot** be used to pay for tuition or fees for home-school umbrella programs/schools *unless* the program/school is listed as an approved IEA participating school on the IEA webpage.
- IEA funds **cannot** be used to pay for a student's **full-time** enrollment in an online learning program/course unless the school providing the program/course is listed as an approved IEA participating school on the IEA webpage (see the section below for restrictions for online courses).

Tuition for a Participating Private School

IEA funds may only be used to pay for tuition at an IEA participating school that is directly providing instruction to a student enrolled in the IEA Program. Along with the required expense report, account holders must submit a **complete, detailed invoice** (i.e., receipt) from the participating school. The tuition may be itemized or grouped on the receipts submitted with the report, depending on how the participating

private school submits receipts to account holders. The receipt must include all the components listed in Chapter 7 and must specify 'tuition' on the receipt. If a complete paid receipt is not submitted with the expense report, the funds will be considered misspent.

Allowed Fees – Participating Private Schools

While tuition may be straightforward, fees are not. Many schools charge fees in areas that are not approved by the IEA Program. As a result, **all fees for which IEA funds are used to pay must be itemized** on the individual receipts and submitted with the corresponding expense report.

The following is a list of approved fees that may be charged by a participating private school for which IEA funds may be used:

- Registration fees;
- Application fees;
- Facility fees;
- Textbook fees (see the Textbook Affidavit section below);
- Lab fees (science labs, math labs, etc.);
- Computer lab fees;
- Supply fee (**If** this fee does not include consumable items such as pens, paper, markers, art supplies, construction paper, pencils, folders, backpacks, etc.); *and*
- Approved test fees (If an account holder requests that the school administer a norm-referenced or TCAP test(s) to a student enrolled in the IEA Program, the school may include the cost to administer the test in the school fees charged to the account holder)

Disallowed Fees – Participating Private Schools

- IEA funds may not be used to pay fees for athletics or extracurricular activities unless the activity is required for enrollment in the participating school;
- IEA funds may not be used to pay supply fees which include consumable items or materials; and
- IEA funds may not be used to pay for fees associated with before- and after-school care, field trips, or clothing items.

Required Textbooks – Participating Private Schools

If a participating school requires account holders to purchase textbooks for the student from a retail source, account holders must submit the [Participating Schools Required Textbooks Affidavit Form](#) to the department before submitting the expense report. Purchases of required textbooks from a retail source must be reported on an [IEA Expense Report](#) and an itemized receipt must be submitted with the expense report (please see Chapter 7 for detailed instructions for filling out expense reports). Account holders are not required to submit a Textbooks Affidavit Form if the school is providing the textbooks and charging the account holder a textbook fee.

Tutoring and Educational Therapy Services

For detailed information regarding use of IEA funds to pay for tutoring or educational therapy services for a student in the IEA Program, as well as instructions on submitting pre-approval requests for tutoring and therapy services, please see Chapter 6 of this handbook.

Curriculum

Curriculum is defined as instructional educational materials for an academic course of study for a particular content area or grade level, including any supplemental materials required by the curriculum. The department does not hold a list of approved curricula and cannot endorse any particular curriculum; it is the role of the account holder to make curriculum decisions based on the individual needs of the student. Preapprovals are not required for the purchase of curriculum with IEA funds unless the curriculum is purchased for an online learning program or course.

Account holders may only use IEA funds to purchase curricula for the sole benefit of the student who is enrolled in the IEA Program. **Account holders may also use IEA funding to purchase supplemental materials only if the supplemental material is required by the curriculum.** Account holders will be required to provide evidence (submitted with the expense report for the quarter in which the items were purchased) that the supplemental materials are required by the curriculum.

Examples of Allowable Supplemental Materials	Disallowed Expenses
Science experiment kits	Toys
Workbooks and teacher edition	Puzzles
Educational maps	Dolls
Flashcards	Workshops
Math manipulatives	Art supplies

If the curriculum is an expense associated with an online learning program or course, the curriculum purchase must have prior approval, as explained in Chapter 5 of this handbook.

Reminder:

Computer hardware and technological devices (i.e., electronics) are **not** considered supplemental materials. Account Holders must submit a *Computer Hardware and Technological Device Pre-Approval Request Form* and receive pre-approval **before** purchasing any electronic device.

Reselling Curriculum

It is unlawful for an account holder, or a third party, to financially benefit from the sale of any product purchased using funds distributed by the IEA Program. All IEA funds are solely approved for the educational use and benefit of a student enrolled in the IEA Program. Resale of items purchased with IEA funds is considered a violation of the *IEA Account Holder Contract* and as such may be referred to the Attorney General's Office for investigation and/or the student's removal from the IEA Program.

Account Holders may, after a two-year period, donate used books and materials purchased with IEA funds to a 501(c)3, public or private school, religious organization, or an individual family who is not enrolled in the IEA Program.

Computer Hardware and Other Technological Devices

Account holders may use IEA funds to purchase computer hardware or technological devices approved by the department or a licensed treating physician. Computer hardware or other technological devices must meet one of the following criteria:

- The technology is a required device for communication or physical access to instruction due to the adverse impact of the disability for which the student qualifies to receive an IEA; and/or
- The technology allows a student to access instruction or instructional content.

All electronic devices are computer hardware/technological devices and account holders must receive pre-approval from the department before purchasing those devices. Examples of computer hardware/technological devices that require pre-approval are as follows:

Laptop	Computer	Printer	Electronic pencil/pen (e.g., Apple Pencil)
Headphones	Speakers	DVD player	iPad/table device
Hearing aides	Laminator	Microscope	Telescope

Note: This is not a comprehensive list. A good way to determine if something is computer hardware or a technological device is to consider if the item requires power to operate (e.g., “Does it have batteries? Does it plug into an outlet? Does it need to be charged?”).

Computer Hardware/Technological Device Restrictions

- Account holders may **not** use IEA funds to purchase internet services or **any** type of software.
- If IEA funds were used to purchase computer hardware or a technological device, account holders may not purchase the same or similar item *with IEA funds* until two calendar years have passed since the date the item was purchased. For example, if the account holder purchased a laptop with IEA funds in the 2019-20 school year, the account holder will not be able to use IEA funds to purchase another laptop until the 2021-22 school year. The department reserves the right to make exceptions to this procedure for reasons including, but not limited to, if the account holder provides sufficient documentation to prove that the original item purchased was stolen, or was damaged to the point it could not be used.
- If an account holder provides the aforementioned documentation with a request for a replacement of a technological device within the two-year period, the department will review the request and may make a determination of replacement value based on an established depreciation model.

Instructions for Pre-Approval Requests for Computer Hardware and Technological Devices

Before purchasing computer hardware or a technological device with IEA funds, account holders **must receive pre-approval** from the department. To request pre-approval, account holders must submit a [Computer Hardware and Technological Device Pre-Approval Request Form](#) to the department which includes the following details:

- Name of the computer hardware or technological device;
- An explanation of the educational purpose the computer hardware or technological device will serve for the participating student; **and**
- A link to the item webpage that provides a description of the requested computer hardware or technological device. The webpage must describe the computer hardware or technological device

and must meet the definition of computer hardware or technological device as explained in Chapter 5 of this handbook. Also, the name of the computer hardware or technological device on the webpage must match the name of the hardware or device that is listed on the pre-approval form.

- If the computer hardware or technological device has been recommended for the student by a licensed, treating physician, the account holder may include that information when submitting the pre-approval request form to the department.

Test Fees

To meet the statutory assessment requirement for a student in the IEA Program, as outlined in [T.C.A. § 49-10-1403\(e\)](#) and Chapter 3 of this handbook, an account holder may use IEA funds to pay for fees associated with the student's participation in **either** a nationally norm-referenced test(s) approved by the department **or** the TCAP test(s) in mathematics and English language arts (ELA).

Account holders may also use IEA funds to pay for Advanced Placement tests and/or the following college placement and achievement tests:

- American College Test (ACT)
- Stanford Achievement Test (SAT)
- Preliminary SAT (PSAT)

Test fees must be reported on an IEA Expense Report for the quarter in which the test was paid and an itemized receipt must be submitted with the report to qualify as an approved expense.

Psychoeducational assessments for educational therapy do not meet the definition of approved testing fees; however, if a therapist provides one of the qualifying assessments as part of the educational therapy services pre-approved by the department, the assessment fees **may be** considered an approved expense included as part of the educational therapy. Account holders must first request pre-approval for the educational therapy and include the information about the assessment in the pre-approval request.

Tuition/Fees for Online Learning Program/Courses

IEA funds may be used to pay for tuition and/or fees for a participating student's **part-time enrollment** in department-approved online learning programs and/or courses. This applies to individual courses students may participate in which are offered by an online learning program. IEA funds may not be used to pay for a student's **full-time enrollment** in an online learning program/course unless the school providing the program/course is included on the list of approved [IEA Participating Schools](#) as posted on the [IEA webpage](#). Part-time enrollment is defined as no more than 225 minutes per day.

Account holders must submit an [Online Learning Program/Course Pre-Approval Request Form](#) to the department and receive approval from the department *before* using IEA funds to pay for any online learning programs/courses. The request for pre-approval must include the following information:

- Name of the online learning program/course
- Organization/school/vendor providing the online learning program/course
- Author/Publisher
- Direct web link to a webpage that provides a description of the online learning program/course. The name of the online learning program/course on the webpage must match what is listed on the required pre-approval form.

Reminder:

Online learning programs/courses must meet the definition of online learning programs/courses as listed in this handbook. Pre-Approval requests must include all required information in order to be processed and approved.

Please note the following regarding Online Learning Programs/Courses:

- Curriculum materials purchased for use in an online learning program or course must follow the Curriculum guidelines outlined on page 29 of this handbook.
- IEA funds cannot be used to pay for tuition and fees for home-school umbrella programs/schools unless the program/school is listed as an approved IEA participating school on the IEA webpage.
- IEA funds cannot be used to pay for online learning program family memberships.
- Online learning program subscriptions must be in the name of the account holder or the student enrolled in the IEA Program. IEA funds can be used to pay for online program memberships up to one year so long as the membership is for the student's part-time enrollment and the membership period is during the IEA contract period. If using IEA funds to subscribe to a family online learning membership for multiple students enrolled in the IEA Program, the payments must be split between the participating students and listed correctly on the expense report.

For Example:

If the purchase of a family membership for ABC Online Program is \$60 for three students to use, but only one of the students is enrolled in the IEA Program, only \$20 would be approved for use of IEA funds. On the IEA expense report for that quarter, the account holder would need to list the \$20, attach the receipt, and then explain in the open comments section that the payment was split (see Chapter 7 for more information on expense reporting).

Public School Services

Account holders may use IEA funds to pay for services, courses, or programs provided through a contractual agreement between the account holder and an LEA. The LEA is not required to provide such services and has the right to refuse service. IEA funds may be used to pay tuition and fees required by the public school district to participate in extracurricular activities but cannot be used to purchase commodities (such as uniforms). LEAs are authorized to charge tuition for students who attend classes but for whom the LEA is **not** receiving funding through the state's education funding formula – the Basic Education Program (BEP).

Prior to entering into any contractual service with an LEA, account holders should ensure that the LEA is willing to accept payment for any services via the account holder's IEA debit card. The account holder is responsible for ensuring that the LEA provides them with a complete paid invoice (i.e., dated receipt) for all services, including part-time tuition, if relevant. For more information on allowances and procedures for non-public students regarding participation in public school extracurricular activities and athletic programs, please visit [Education Choices in Tennessee](#) on the department's webpage.

Reminder:

Enrolling a student in a public school (LEA) full time will result in termination from the IEA Program and a determination of misspent IEA funds that will require repayment for any IEA funds that were spent after the date of public school (re)enrollment.

Tuition, Fees, and/or Required Textbooks at an Eligible Post-Secondary Institution

IEA funds may be used to pay for tuition, fees, and/or required textbooks at an eligible post-secondary institution for a student who meets the following criteria:

1. A student enrolled in the IEA Program may use IEA funds to pay for qualifying expenses for **dual enrollment** courses at an eligible post-secondary institution while still enrolled in an IEA-participating non-public or home school; **or**
2. A **post-secondary** student who:
 - was enrolled in the IEA Program during grade 12 and graduated from high school;
 - had funds remaining in an IEA at the time of graduation from high school; and
 - continued (renewed) participation in the IEA Program

may be eligible to allocate **saved** IEA funds for eligible post-secondary expenses (see below for detailed information).

Note:

IEA funds may only be used to pay for post-secondary tuition, fees, and/or required textbooks for a participating student during the IEA contractual term (July 1– June 30).

The IEA Program is direct-payment only. The IEA Program cannot reimburse account holders for any personal funds used to pay for post-secondary expenses.

Use of IEA Funds – Tennessee Dual Enrollment Grant Program

Students in grades 11 and 12 may be eligible to use IEA funds to pay for dual enrollment courses at an eligible post-secondary institution through the state’s Dual Enrollment Grant Program. The Dual Enrollment Grant Program is funded by the Tennessee Lottery and is administered by the Tennessee Student Assistance Corporation (TSAC). This program provides opportunities for eligible students to begin working toward a college degree, while still pursuing a high school diploma.

For an IEA student who is participating in a dual enrollment program, ALL student records on file with the department, the student’s residence LEA, the student’s non-public school (private or home school), and any post-secondary institution in which the student is dual enrolled must reflect that the student is in grades 11 or 12, and NOT listed as a student who has graduated from high school and is solely enrolled in a post-secondary institution for higher education coursework.

The department may request additional documentation for a student participating in a dual enrollment program, including, but not limited to:

- A letter from the post-secondary institution indicating proof of the student’s dual enrollment status;

- A letter from the student’s home school coordinator in the LEA in which the student resides that lists the student’s grade level and proof of dual-enrollment status; and/or
- A letter from the student’s private school that lists the student’s grade level and proof of dual enrollment status.

Resource:

For more information or to apply to the Tennessee Dual Enrollment Grant Program, please visit:

- <https://www.tn.gov/education/early-post-secondary/dual-enrollment.html>
- <https://www.tn.gov/collegepays/money-for-college/tn-education-lottery-programs/dual-enrollment-grant.html>

Use of IEA Funds – Post-secondary Higher Education

Account holders may choose to save up to fifty percent (50%) of the annual IEA award every contract year until the participating student graduates from high school [including passing the Graduation Equivalency Development test (GED) or High School Equivalency Test (HiSET)] or exits the IEA Program (see Chapter 8) for eligible post-secondary higher education expenses. Upon a participating student’s graduation from high school, if funds remain in the IEA, and if the student chooses to enroll in an eligible post-secondary institution, the student may use the saved funds in the IEA to pay for tuition, fees, and/or required textbooks at an eligible post-secondary institution. Students participating in the IEA Program who are enrolled full time in post-secondary programs after graduating from high school will not receive additional IEA payment disbursements.

For a student who has graduated from high school to continue in the IEA Program and to use funds remaining in the IEA for post-secondary educational expenses for the next school year, the account holder must submit an *IEA Renewal Student Application* indicating that the student will be enrolling in post-secondary coursework. The account holder must also sign and submit the *IEA Account Holder Contract for Post-Secondary Students*, including all supporting documentation (e.g., the *Account Holder Assurances Form* and *FERPA Waiver*). **Completed renewal applications and contracts must be received by the department by the deadlines posted on the IEA webpage.** If the renewal application and/or the completed contract is not received by the deadline established by the department, the student will not be reenrolled in the IEA Program for the following school year and will not have access to saved IEA funds.

Account Holder Responsibilities

If a student continues in the IEA Program as a post-secondary higher education student, the account holder must comply with all of the responsibilities described in this *handbook* and must follow all laws, rules, and procedures regarding the use of IEA funds. The account holder is still required to submit expense reports every quarter of the contractual year for all IEA expenses, just as has been done in any years prior, following the same procedures in Chapters 5, 6, and 7 for use of IEA funds for approved expenses.

If a student exits the IEA Program during post-secondary enrollment, any remaining funds in the IEA will be returned to the state treasurer for any of the following reasons, whichever occurs first:

- if the student graduates from a post-secondary institution;
- after a period of four consecutive years after a student enrolls in a post-secondary institution; or
- the IEA reaches a balance of \$0.00.

Tuition/Fees at an Eligible Post-secondary Institution

While tuition may be straightforward, fees are not. Many post-secondary institutions charge fees in areas that are not approved by the IEA Program. As a result, all fees for which IEA funds are used must be itemized on the individual receipts and submitted with the corresponding expense report (see Chapter 7 for detailed information on filling out expense reports). IEA funds cannot be used to pay for room and board fees or meal plans.

Required Textbooks for an Eligible Post-secondary Institution

Most post-secondary institutions require students to purchase specific textbooks for coursework. In order to use IEA funds to pay for textbooks, account holders must submit a [Post-secondary Institution Required Textbooks Affidavit Form](#). This form does not endorse any products, providers, services, etc. This form provides assurance that the textbooks listed are required by the post-secondary institutions. A *Post-secondary Institution Required Textbooks Affidavit Form* must be submitted to the department for *each* required textbook.

In addition, purchases of required textbooks must be reported on the IEA Expense Report and an itemized receipt must be submitted with the expense report. However, *optional* textbooks for coursework should be reported under the curriculum section of the expense report (see Chapter 7 for detailed information on filling out expense reports).

List of Post-secondary Institutions Eligible for Use of IEA Funds

Account holders may only use IEA funds to pay for post-secondary tuition, fees, and/or required textbooks for a participating student for dual-enrollment or higher education coursework at the following post-secondary institutions:

- Tennessee public community colleges;
- Colleges within the University of Tennessee system (or locally governed state university within the Tennessee Board of Regents systems);
- Tennessee Colleges of Applied Technology (TCAT); **or**

A private post-secondary institution accredited by one of the following:

- Any accreditation division of Cognia (formerly AdvancED): The North Central Association Commission on Accreditation and School Improvement (NCA CASI), the Northwest Accreditation Commission (NWAC), and the Southern Association of Colleges and Schools Council on Accreditation and School Improvement (SACS CASI);
- Middle States Association of Colleges and Schools (MSA);
- New England Association of Schools and Colleges (NEASC);
- Western Association of Schools and Colleges (WASC); or
- Council on Occupational Education (COE)

Resource:

For a comprehensive list of post-secondary institutions in Tennessee, please visit the [Tennessee Higher Education Commission's](#) webpage.

Transportation

Account holders may only use IEA funds for transportation fees paid to a **commercial fee-for-service** transportation provider for services of transportation to/from schools and educational providers (including tutors and therapists).

IEA funds **cannot** be used to pay for transportation expenses including, but not limited to, the following:

- transportation provided by the account holder, a family member, or friend;
- transportation provided by a non-commercial transportation provider;
- gas or carpooling services;
- automobile payments; or
- transportation to or from anywhere other than school or an educational provider.

Tennessee Achieving a Better Life Experience (ABLE TN) Account Contributions

An account holder may use IEA funds to make contributions to an [ABLE TN savings account](#). Administered by the Tennessee Department of Treasury, ABLE TN is a savings program designed to help Tennessee residents with disabilities put aside money to pay for qualified expenses. An ABLE TN account must be opened in the name of the student who is enrolled in the IEA Program (i.e., the student must be the Designated Beneficiary on the ABLE account). Up to \$15,000 may be contributed to an ABLE account on behalf of each student enrolled in the IEA Program each year; contributions to ABLE accounts count towards the 50 percent of IEA funds that must be spent each year. The \$15,000 limit includes any personal funds that an account holder or any individual contributes to the ABLE TN account in the student's name. The IEA funds that are deposited into an ABLE account **may only be spent on the participating student's educational expenses**.

Resource:

For more information on how IEA funds deposited into an ABLE TN savings account may be utilized, please visit <https://able.treasury.tn.gov>.

For an account holder to make contributions to an ABLE TN account using IEA funds, the account holder must first complete the following steps:

- **Step 1:** Open an ABLE TN account following the instructions posted on <https://able.treasury.tn.gov>.
- **Step 2:** Establish an ABLE IEA identification number following the instructions posted on <https://able.treasury.tn.gov>. All IEA funds must be deposited into an IEA ABLE TN account number ending in -02. If the ABLE account number does not end in -02, the account holder must contact ABLE TN to request this change prior to any IEA fund deposits. A deposit of \$25.00 of personal funds will be required to open an ABLE TN account ending in -01, *before* opening the account ending in -02 (IEA ABLE account). For detailed information on account set-up, please visit <https://able.treasury.tn.gov>.
- **Step 3:** Complete the department's [ABLE TN Contribution Request for IEA Account Holders Form](#). **Please note: This is in addition to any forms or documentation that is required by ABLE TN for opening the ABLE TN account.** Once the completed *ABLE TN Contribution Request for IEA Account Holders Form* is received, the department will either withdraw the amount of the contribution from the IEA debit card

account *or* withhold the amount from the next IEA payment and then send a check for the amount of the contribution to the mailing address listed on the account holder's W-9 form. Contributions marked as "recurring" will be withdrawn from each IEA payment disbursement and cannot exceed the amount of the IEA annual award for the contractual year.

The department will process the ABLE contribution request in a timely manner according to the IEA payment disbursement cycle established by the department. Please note the following:

- If the account holder has requested a recurring ABLE contribution or an ABLE contribution that is to be withheld from future IEA payment disbursements, the process of receiving the contribution check may take up to 60 calendar days from the date you receive the notice that the department has processed the request form. If the check is not received within 60 calendar days, please contact the IEA team at IEA.Questions@tn.gov; **or**
 - If the account holder has requested that the ABLE contribution amount be withheld from the IEA debit card account, the process may take up to 90 calendar days from the date the account holder receives notice that the department has processed the request. For this method, the account holder should retain all documentation of the withdrawal for tax reporting purposes.
- **Step 4:** Receive the IEA ABLE contribution check from the department and deposit the funds into the IEA portion of the student's ABLE TN account listed on the contribution form following the instructions posted on <https://able.treasury.tn.gov>. **Upon receipt, the account holder must deposit the check into the ABLE account within ten (10) business days. Any ABLE funds that are received and are not deposited into the ABLE account will be considered misspent and may be the basis for removal from the IEA Program.**
- **Step 5:** Report (list) the ABLE TN contribution on the next [IEA Quarterly Expense Report](#) and upload a copy of the deposit confirmation from the Tennessee Department of Treasury as the receipt. The receipt must show that the funds have been deposited into the IEA portion of the ABLE TN account. In addition, account holders should attach a copy of their ABLE statement; ABLE contributions should only be reported after they have been deposited into the ABLE account. If the account holder has not received an outstanding IEA ABLE contribution check within 10 business days of an expense report submission deadline, the funds must be reported on the *next* quarterly expense report (see Chapter 7 of this handbook for detailed information on submitting IEA expense reports).

Note:

Recurring ABLE TN contributions that are in the full amount of the IEA payment disbursement will end on June 30 of each contract period. Account holders are required to submit a new ABLE TN contribution form each contract year to reestablish recurring contributions for deposits of the full amount of IEA funds. If the recurring contribution amount is not for the full amount of the IEA payment disbursement, the account holder will *not* be required to submit a new ABLE contribution form each contract year.

Coverdell Education Savings Account Contributions

An account holder may use IEA funds to make contributions to a 530 Coverdell Education Savings Account (ESA). A 530 Coverdell Education Savings Account is a tax-deferred trust, authorized by Section 530 of the Internal Revenue Code (26 U.S.C § 530), that assists families of individuals with disabilities for future educational expenses.

Up to \$2,000 may be contributed annually to a 530 Coverdell account on behalf of each student enrolled in the IEA Program each year; the \$2,000 limit includes any personal funds that an account holder or any individual contributes to the 530 Coverdell account in the participating student's name. Contributions to a Coverdell account count towards the 50 percent of IEA funds that must be spent each year. The IEA funds that are deposited into a Coverdell account **may only be spent on the participating student's educational expenses**.

For an account holder to make contributions to a Coverdell account using IEA funds, the account holder must first complete the following steps:

- **Step 1:** Open a Coverdell account at a financial institution of your choosing. Guidelines are posted on <https://www.irs.gov/taxtopics/tc310/>
- **Step 2:** Complete the department's [IEA Coverdell Contribution Request Form](#). The account holder must submit with this form documentation from the financial institution which lists that the 530 Coverdell ESA is opened in the IEA account holder's name and that the student enrolled in the IEA Program is listed as the beneficiary. **Please note: This is in addition to any forms or documentation required by the financial institution for opening the Coverdell account.** Once the completed *IEA Coverdell Contribution Request Form* is received, the department will either withdraw the amount of the contribution from the IEA debit card account *or* withhold the amount from the next IEA payment and then send a check for the amount of the contribution to the mailing address listed on the account holder's W-9 form. Contributions marked as "recurring" will be withdrawn from each IEA payment disbursement and cannot exceed the amount of the IEA annual award for the contractual year.

The department will process the Coverdell contribution request in a timely manner according to the IEA payment disbursement cycle established by the department. Please note the following:

- If the account holder has requested a recurring Coverdell contribution or a Coverdell contribution that is to be withheld from future IEA payment disbursements, the process of receiving the contribution check may take up to 60 calendar days from the date you receive the notice that the department has processed the request form. If the check is not received within 60 calendar days, please contact the IEA team at IEA.Questions@tn.gov; **or**
- If the account holder has requested that the Coverdell contribution amount be withheld from the IEA debit card account, the process may take up to 90 calendar days from the date the account holder receives notice that the department has processed the request. For this method, the account holder should retain all documentation of the withdrawal for tax reporting purposes.

- **Step 3:** Receive the IEA Coverdell contribution check from the department and deposit the funds into the account holder's Coverdell education savings account at the chosen financial institution. **Upon receipt, the account holder must deposit the check into the Coverdell account within ten (10) business days. Any Coverdell funds that are received and are not deposited into the Coverdell account will be considered misspent and may be the basis for removal from the IEA Program.**
- **Step 4:** Report (list) the Coverdell contribution on the next [IEA Quarterly Expense Report](#) and upload a copy of the deposit confirmation from the financial institution as the receipt. The confirmation must show that the funds have been deposited into the Coverdell account. Coverdell contributions should only be reported after they have been deposited into the Coverdell account. If the account holder has not received an outstanding IEA Coverdell contribution check within 10 business days of an expense report submission deadline, the funds must be reported on the *next* quarterly expense report (see Chapter 7 of this handbook for detailed information on submitting IEA expense reports).

Note:

If an account holder chooses to open either an ABLE-TN or Coverdell account in order to meet the statutory 50% spending requirement for the contract year, requests to open such accounts must be received by the department no later than 30 days prior to submission of the final expense report of the contract year in order to allow time for the account holder to receive and deposit the funds and then provide proof of deposit submitted with the final expense report.

Resource:

For information on Coverdell accounts, please visit: <http://www.irs.gov/publications/p970/ch07.html>

Disallowed IEA Expenses

Account holders are prohibited from using IEA funds for the following expenses: *

- Furniture (e.g., desks, workstations, teaching carts, storage cabinets, etc.)
- Consumable educational supplies (e.g., paper, pencils, pens, markers, crayons, erasers, folders, glue, backpacks, etc.) unless purchased as part of a complete curriculum set that has received prior approval from the department
- Tuition and fees for home-school umbrella programs/schools unless the program/school is listed as an approved IEA participating school
- Food or meal plans
- Nutritionists
- Yoga
- Acupuncture
- Medical services
- Before- and after-school care
- Computer cloud services
- Desktop binding machines
- Farm animals and supplies

- Medicines and/or supplements
- Internet service
- Software
- Televisions
- Cable television service
- Magazine subscriptions (unless required as part of the educational curriculum of a nonpublic school)
- Mileage or car expenses
- Pets and pet supplies
- Warranties, unless it is a computer hardware/technological device warranty that is purchased as part of a computer hardware/technological device bundle that is pre-approved by the department
- Extracurricular fees, unless required to attend a participating school and/or paid through a contract with a public school/district.
- Field trips, unless required to attend a participating school and/or paid through a contract with a public school/district.
- Athletic fees, unless required to attend a participating school and/or paid through a contract with a public school/LEA.
- Lessons and classes unless they are included in a student's enrollment in, and part of the tuition/fees charged by, a participating school.
- Any expenses (including services) paid/provided for or billed outside of the IEA contract period, except for registration and application fees charged by the student's participating school so long as the student was a participating student at the time the fees were paid, and the student's IEA is being renewed for the following school year.

Note: This is not an exhaustive list of all prohibited expenses; the department will make individual determinations on whether an expense meets the definition of approved expenses according to IEA Statute, SBE Rule, and department procedures. For assistance, contact the IEA team at IEA.Questions@tn.gov.

Reselling Items Purchased with IEA Funds

It is unlawful for an account holder or third party to financially benefit from the sale of any product purchased using funds distributed by the IEA Program. All IEA funds are solely approved for the use and educational benefit of the student enrolled in the IEA Program. Resale of items purchased with IEA funds is considered a violation of the contract and may be grounds for removal and referral to the Tennessee Attorney General's Office for investigation.

Account holders may, after a two-year period, donate used books and materials purchased with IEA funds to a 501(c)3, public or private school, religious organization, or an individual family who is not enrolled in the IEA Program.

Reminder:

In accordance with the state rules and procedures for the IEA Program and this handbook, the department has the authority to freeze funds in the debit card account, close the account, and/or withdraw funds from the account, for reasons including, but not limited to misuse of IEA funds, failure to request a required pre-approval for certain purchases, or fraudulent use of IEA funds.

Chapter 6: Tutors and Therapy Providers

In many cases, account holders may choose to supplement their child's education by hiring tutors and therapists (i.e., service providers). Providers must meet the qualifications set by State Law ([T.C.A. § 49-10-14](#)), [SBE Rule](#) and procedures as described in this handbook. To use IEA funds to pay for educational therapy or tutoring services, IEA account holders **must request and receive pre-approval** from the department before the tutoring or therapy services are rendered. To receive pre-approval, the account holder must submit either the [Educational Therapies and Services Preapproval Agreement Form](#) or the [Tutoring Services Preapproval Agreement Form](#). For pre-approval, the department requires documentation of the provider's licensing credentials; while a provider may hold credentials and varying accreditations, the IEA Program will only accept those listed in this handbook (*see below*). Use of IEA funds must be for the sole benefit of the participating student for which the IEA account is established. Any services, resources, and/or equipment purchased using IEA funds is for the sole benefit of the participating student whose IEA paid for said services, resources, and/or equipment.

Reminder:

The department does not directly endorse providers, nor does the department have a list of pre-approved providers. Account holders must request and receive prior approval from the department, following the instructions in this handbook, **prior to tutoring or therapy services rendered**.

Account Holder Responsibilities Regarding Tutoring and Therapy Services

- The account holder is solely responsible for using IEA funds in accordance with the laws, rules, and procedures of the IEA Program. In order for educational therapy/tutoring services to be considered an approved use of IEA funds, the account holder must ensure that the chosen provider meets and adheres to all the requirements outlined in Chapter 6 of this handbook.
- It is the responsibility of the account holder to thoroughly research individuals for which contracts are entered into for providing educational therapy/tutoring services for a student. The account holder must ensure receipt of a complete, itemized invoice from the provider. The invoice must then be submitted to the department on the IEA Quarterly Expense Report for the reporting period in which the services were rendered. For a full list of the requirements for expense reporting, see Chapter 7 of this handbook.
- Before contracting for services, the account holder should verify that the chosen provider is able to accept and process payments for services using the IEA debit card.
- The account holder is responsible for any contract signed with a provider and for ensuring that the terms of the contract are fulfilled. The department cannot void a private contract, give legal advice, or arbitrate payment schedules.
- The account holder is responsible for repayment to the department for all ineligible expenses and any eligible expenses spent in excess of the amount of the IEA award.
- Account holders may pre-pay for tutoring and/or therapy services for a participating student if the following conditions are met:
 - the department has approved the pre-approval request for that specific provider **and**

- the tutoring and/or therapy dates of service do not extend beyond the IEA contract period for that school year or the expiration date listed on the preapproval form, whichever comes first.
- If an account holder pre-pays for educational tutoring and/or therapy services for a participating student, the account holder must report the pre-paid amount on the expense report for the quarter in which the IEA funds were spent and must include a receipt that details the dates of service.

Disallowed Expenses Regarding Tutoring and/or Therapy Services*

- **The hiring of family members as tutors or therapy providers is prohibited.** It is considered a misuse of IEA funds for a family member of a student, including a stepparent or member of an eligible student's household, to derive any financial benefit from the IEA Program.
- IEA funding **cannot be used to pay paraprofessionals** to provide therapy or tutoring services as paraprofessionals are unlicensed (do not hold the required credentials outlined in this chapter).
- IEA funds cannot be used to pay for any costs associated with canceled, late, or missed appointments.
- **IEA funds cannot be used to pay for medical expenses.** Per state law and rules, therapies provided to students using IEA funds must be "educational therapies" which are designed to develop or improve academic performance through instructional and therapeutic techniques. All therapy services must be pre-approved by the department and services must be rendered by an approved therapist, not a physician for which services could be billed through medical insurance.
- **Psychoeducational assessments** do not meet the definition of testing fees; however, if a therapist provides psychoeducational assessments as part of the educational therapy services pre-approved by the department, the assessment fees may be considered an approved expense as part of educational therapy. Account holders must first request pre-approval for the educational therapy and include the information about the assessment in the pre-approval request.

*** This is not an exhaustive list of disallowed expenses.** Use of IEA funds to pay for disallowed expenses would be considered "misspent funds" for which the account holder would be required to reimburse the department. In addition, a determination of misspent funds may result in suspension of the IEA and/or removal of the student from the IEA Program.

Criminal Background Check Requirement

All tutoring and/or therapy service providers must comply with the criminal background check requirements pursuant to [SBE Rule 0520-01-11](#). When submitting either the [Educational Therapies and Services Preapproval Agreement Form](#) or the [Tutoring Services Preapproval Agreement Form](#), an account holder must provide verification that the chosen provider has passed a criminal background check by providing the department with a copy of the background check (the facility may have a copy to provide). Individuals who have been convicted of a felony, including conviction on a plea of guilty, a plea of *nolo contendere*, or order granting pre-trial diversion are not permitted to receive IEA funds for services rendered to students enrolled in the IEA Program.

What standards must the criminal background check meet?

A "criminal background check," at a minimum, must include checks of the Tennessee Sex Offender Registry

and the Abuse Registry of the Tennessee Department of Health. All service providers and employers of service providers must maintain documentation that any person providing services to participating students has undergone a fingerprint-based criminal history and records check conducted by the Tennessee Bureau of Investigation (TBI) and forwarded by the TBI to the Federal Bureau of Investigation for processing pursuant to the National Child Protection Act.

To ensure that providers meet this requirement, account holders must complete the following steps:

- **Step 1:** Account holders should request a copy of the provider's **license and accreditation** along with a copy of the provider's criminal background check to ensure compliance with the IEA rules. The copies should be legible, not expired, and issued by an accredited board. To comply with the **criminal background check requirements** of the IEA Program, the account holder must submit to the department verification that the provider has completed both of the following:
 1. Complete a fingerprint background check through the [Tennessee Bureau of Investigation \(TBI\)](#). The provider will need to have an Originating Agency Identifier (ORI) number issued by the TBI to request this background check. If the provider does not have an ORI number, the provider will need to request one following the instructions on the TBI website; **and**
 2. Complete a fingerprint background check through the [Federal Bureau of Investigation \(FBI\)](#); **and**
- **Step 2:** Once the provider has completed both the TBI and FBI fingerprint criminal background checks, the account holder must verify that the provider has never been convicted of a felony, including conviction on a plea of guilty, a plea of nolo contendere, or order granting pre-trial diversion. The account holder must search the following two registries and ensure that the provider does not appear on either:
 - [Tennessee Department of Health Abuse Registry](#); **and**
 - [Tennessee Bureau of Investigation Sex Offender Registry](#).

Educational Therapy Services

Definition:

“Educational therapy” is defined as Individualized services designed to develop or improve academic performance through instructional and therapeutic techniques. All therapy services through the IEA Program must be “direct service,” meaning that they must be directly related to the education of the participating student.

Account holders must receive pre-approval by the department before the services are provided and before using IEA funds to pay for educational therapy services (see the section below for pre-approval instructions).

Therapist Licensure

To use IEA funds to pay for educational therapy for a participating student, the therapy service must be provided by a therapist who meets the requirements set by the State Board of Education and the department. The following lists the only approved therapist credentials accepted by the department:

- Tennessee Department of Education teacher license endorsement:
 - School audiologist Pre-K–12 (Tennessee license code 469)
 - School counselor Pre-K–12 (Tennessee license code 487)
 - School psychologist Pre-K–12 (Tennessee license code 489)
 - Speech/language pathologist (SLP) Pre-K – 12 (Tennessee license code 498)
 - Speech/Language teacher (Tennessee license code 458)
- Tennessee Department of Health licenses:
 - Medical doctors licensed under Title 63 Chapter 6
 - Doctors of osteopathy licensed under Title 63 Chapter 9
 - Podiatrists licensed under Title 63 Chapter 3
 - Chiropractors licensed under Title 63 Chapter 4
 - Dentists licensed under Title 63 Chapter 5
 - Nurses licensed under Title 63 Chapter 7
 - Optometrists licensed under Title 63 Chapter 8
 - Pharmacists licensed under Title 63 Chapter 10
 - Psychologists licensed under Title 63 Chapter 11
 - Occupational and physical therapists licensed under Title 63 Chapter 13
 - Dispensing opticians licensed under Title 63 Chapter 14
 - Speech pathologists and audiologists licensed under Title 63 Chapter 17
 - Physicians assistants licensed under Title 63 Chapter 19
 - Professional counselors, Marital and Family therapists and Clinical pastoral therapists licensed under Title 63 Chapter 22
 - Social workers licensed under Title 63 Chapter 23
 - Athletic trainers licensed under Title 63 Chapter 24
 - Dieticians and nutritionists licensed under Title 63 Chapter 25
 - Behavior analysts licensed under Title 63 Chapter 11
 - Board Certified Behavior Analyst (BCBA) certified by the Behavior Analyst Certification Board
 - Registered Behavior Technician (RBT) certified by the Behavior Analyst Certification Board

Reminder:

Pre-approvals for therapy services are only valid until the provider's license expiration date and/or the last date of the IEA contractual year; the date of expiration will be included in the approval notice from the department. The department requires that updated preapprovals for therapists be submitted to the department at the beginning of each contract year if the account holder wishes to continue services by a specific provider who was approved in a previous contract year.

Resource:

For information on finding a licensed therapist or to check licensure, please visit:

- [Tennessee Department of Health Physician Licensure](#)
- [BCBA and RBT certification](#)

The name of the therapist, license number, and the license type listed on the therapist pre-approval request form must match the information posted on the applicable website.

How to Receive Pre-Approval for Educational Therapy Services

Account holders must receive prior approval from the department **before** using IEA funds to pay for educational therapy services. To request pre-approval, account holders must submit the [Educational Therapies and Services Preapproval Agreement Form](#) to the department. The submitted request must include all of the following components:

- Therapy Provider Information:
 - Therapist Name
 - Phone Number
 - Email Address
 - Business Address
 - License/Certification Type and License/Certification Number
- Name of the Educational Therapy
- Description of the therapy's educational purpose

On the pre-approval form, account holders must attest that the provider complies with the criminal background check rules pursuant to SBE Rule 0520-01-11 (see the section above for how to check provider compliance with this requirement) and verification that the provider holds professional liability insurance. To ensure that providers meet this requirement, account holders should request to see verification of the provider's professional liability insurance to ensure it complies with the IEA Rules. Examples of verification of professional liability insurance include:

- a certificate of professional liability that covers the individual provider
- a certificate of professional liability that covers the company

Reminder:

Educational therapy pre-approvals are only valid until the date the provider's license expires; the date of expiration will be included in the approval notice from the department.

The name of the educational therapy and the name of the therapist on the receipt submitted with the IEA expense report must match what is listed on the pre-approved notice from the department.

Tutoring Services

Definition:

“**Tutoring service**” is defined as supplementary instruction in an academic subject area provided to support/ enhance the primary instruction that a student receives in a lesson, course, and/or classes.

Tutoring services are not the primary instruction. Please note: Lessons, classes, and tuition fees are not considered tutoring services. All services must be services in the approved subject areas listed in Chapter 6.

Account holders must receive pre-approval by the department before tutoring services are provided and before using IEA funds to pay for tutoring services (see the section below for instructions on how to request pre-approval).

Approved Tutoring Subject Areas

IEA funds may be used to pay for tutoring services for a participating student in grades K-12 in any of the following approved subject areas:

- Computer technology (including computer applications, computer literacy, computer programming, and interactive multimedia design)
- English language arts (including reading)
- Health education
- Mathematics (including algebra I, algebra II, geometry, calculus, trigonometry, pre-calculus, statistics)
- Personal finance
- Science (including biology, chemistry, physics, physical science, anatomy and physiology, earth science, geology, environmental science, ecology)
- Social studies (including economics, psychology, sociology, U.S. history, world history, geography, ancient history, African American history, U.S. government, and civics)
- World language

If a subject area for which an account holder wishes to hire a tutor is not listed above, the account holder may request that a subject area be added to this list by submitting a [Tutor Subject Add Request Form](#) to the department. If the new tutor subject area is approved by the department, the account holder would then need to submit a [Tutoring Services Pre-Approval & Agreement Form](#) to request pre-approval for the services **prior** to services rendered by an individual tutor and/or payment for said services. If the participating student will receive tutoring services from an approved tutoring facility (see list of approved facilities below), the account holder would need to submit a [Tutoring Services Facility Pre-Approval Agreement Form](#) prior to services rendered and/or payment for said services.

Tutor/Tutoring Facility Accreditation Requirements

For use of IEA funds, tutoring services must be provided by an individual tutor who holds one of the qualifications listed below or a tutoring organization accredited by one of the following entities (**credentials must be in the subject area for which the tutor will be providing tutoring services**).

Accreditation Facilities:

- Any accreditation division of [Cognia](#) (formerly AdvancED):
 - North Central Association Commission on Accreditation and School Improvement (NCA CASI);

- Northwest Accreditation Commission (NWAC); or
- Southern Association of Colleges and Schools Council on Accreditation and School Improvement (SACS CASI)
- [Middle States Association of Colleges and Schools \(MSA\)](#)
- [New England Association of Schools and Colleges \(NEASC\)](#)
- [Western Association of Schools and Colleges \(WASC\)](#)
- [Council on Occupational Education \(COE\)](#)

Individual Tutors must hold at least one of the following credentials:

- A state teaching certificate in elementary education (issued by one of the 50 states in the U.S. only);
- A state teaching certificate in secondary education (issued by one of the 50 states in the U.S. only);
- A state teaching certificate in special education in elementary and/or secondary education (issued by one of the 50 states in the U.S. only);
- National Board Certification: An advanced teaching certification given by the National Board for Professional Teaching Standards to teachers who demonstrate strong knowledge of content, ability to advance student learning through appropriately designed lessons and assessments, as well as the ability to collaborate with parents, coworkers, and their community. (Proof of National Board Certification must be submitted with the pre-approval form);
- A Bachelor's degree or higher in the specific subject area being taught from an accredited university (Proof of degree attainment must be submitted with the pre-approval form, such as official transcripts or a diploma); **or**
- Proof of a passed Praxis exam for all applicable portions of the Praxis exam for the subject area and/or grade level for which tutoring services are provided (proof of passing Praxis scores must be submitted with the pre-approval form).

State teaching certificates/licenses are not required to be current (e.g., a retired teacher with an expired teaching license may qualify as an IEA tutor); however, individuals with licenses that have been suspended or revoked will not qualify as IEA tutors. An account holder may verify a potential tutor's Tennessee teaching license by searching the tutor's name at <https://department.tncompass.org/Public/Search>.

How to Receive Pre-Approval for Educational Tutoring Services

- Account holders must receive prior approval from the department **before** using IEA funds to pay for educational tutoring services. To request pre-approval, account holders must submit the [Tutoring Services Pre-Approval & Agreement Form](#) to the department. The submitted request must include all of the following:
- Tutor and/or tutoring facility Information:
 - Name
 - Phone Number
 - Email Address
 - Business Address
 - Individual tutor credentials or tutoring facility accreditation
- Name of the tutoring subject area
- Description of the therapy's educational purpose

On the pre-approval form, account holders must attest that the provider complies with the criminal background check rules pursuant to [SBE Rule 0520-01-11](#) (see the section above for how to check provider compliance with this requirement).

Reminder:

- Tutoring service pre-approvals are only valid until the date the provider's credentials expire and/or the last date of the IEA contractual year; the date of expiration will be included in the approval notice from the department. The department requires that updated preapprovals for tutoring services be submitted to the department at the beginning of each contract year if the account holder wishes to continue services by a specific provider who was approved in a previous contract year.
- The name of the tutoring facility and/or provider on the receipt submitted with the IEA expense report must match what is listed on the pre-approved notice from the department.

Chapter 7: Expense Reporting

State law requires that the department adopts policies necessary for the administration of the IEA Program. Further, [SBE Rule](#) and the *IEA Account Holder Contract* require that IEA account holders submit expense reports and receipts for all IEA funds expended in accordance with the procedures set by the department before the next IEA payment is disbursed. IEA funds may only be used on specific allowable expenses as outlined in Chapters 5 and 6 of this handbook and **the department must receive a quarterly [IEA Expense Report](#) including all relevant receipts and documentation, for each participating student by the deadlines listed below and on the *Key Dates* section of the [IEA webpage](#).** For assistance, please contact the IEA team at IEA.Questions@tn.gov.

Disbursement and Expense Report Schedule for 2021-22 (Deadlines)

Quarter	IEA Funds Disbursement (projected dates)	Expense Reporting Period	Expense Report Due Date (due by 3 p.m. CT 4 p.m. ET)
1	Aug 20	July 1 – Sept 30	Oct 1
2	Nov 15	Oct 1 – Dec 31	Jan 1
3	Feb 15	Jan 1 – March 31	April 1
4	May 15	April 1 – June 30	June 30

Attention RENEWAL Account Holders: As the Q4 reporting period ended on May 7, 2021 for the 2020-21 contract year, you will need to report **ANY** expenditures made on or after May 8, 2021 on the Q1 expense report for the 2021-22 contract year. For assistance, please contact the IEA team at IEA.Questions@tn.gov.

Reminder:

- The IEA Program is direct payment only. The IEA Program will not reimburse account holders for any personal funds spent.
- IEA funds may only be used for approved educational expenses that meet the criteria in Chapters 5 and 6 of this handbook.

Expense Reporting Instructions

Account holders must complete all fields in each applicable expense section. If all fields for a listed expense are not completed, the form will be considered incomplete.

The expense report must include all expenses paid during the expense reporting period. If an expense is not reported on the expense report, it will be considered a misuse of funds.

Please note the following:

- Each quarterly expense report must include **all** expenses paid during the reporting period. Missing funds for expenses not reported will be considered misspent funds.
- Any refunds must be reported in the “Additional Comments” section of the expense report and documentation substantiating the return must be submitted with the expense report.
- If an account holder pre-pays for services (e.g., educational therapy), the account holder must report the

amount pre-paid on the expense report for the quarter that the IEA funds were spent *and* include a receipt detailing when the services were rendered in the expense report for that quarter.

- **If the account holder has spent zero IEA funds in a quarter, a signed expense report must still be submitted, indicating in the “Additional Comments” section of the expense report that zero dollars were spent in that quarter.**
- All expenses listed on an [IEA Expense Report Form](#) should only reflect funds that are charged to the IEA debit card or funds that are contributed to an ABLE TN or Coverdell savings account (see below for more information); personal funds used should never be reported on this form. The amount reported should include all fees including any taxes, shipping costs, and any costs or fees associated with using the IEA debit card (e.g., debit card processing fees).
- **If all expenses for a given quarter will not fit on one expense report for the quarter, please complete an additional report for the excess expenditures.** Expenses (with the exception of refunds or unique situation) may be not be reported in the “Additional Comments” section of the expense report.
- The department may suspend and/or close an IEA account and remove a participating student if the department does not receive a complete expense report (including all receipts and supporting documentation) by the deadline and all expenses spent in that quarter will be deemed misspent. If the account is closed, any funds remaining in the account will be forfeited and returned to the state treasurer to be placed in the state’s education funding account.

Once the department receives the [IEA Expense Report Form](#), the department will review all expenditures and coordinating receipts in order to reconcile for the next IEA payment disbursement. The IEA team will contact the account holder if additional information is needed to verify that the IEA funds were spent in accordance with state law, rules, and procedures.

Please allow up to 45 calendar days for the department to review the expense report; the IEA team will notify the account holder as to the status of the expense report. The next IEA payment will not be distributed until the department approves the Expense Report Form.

If an IEA expense report is not submitted by the required deadlines, and/or is incomplete, there may be a delay in disbursement of the next IEA payment by at least one full payment cycle, and possibly more payment cycles (depending on when the expense report is approved). If IEA funds are misspent, funds may be pulled from the IEA or future IEA payments will be reduced by the amount of the misspent funds, the IEA may be suspended and/or the student removed from the IEA Program.

Receipt Submission

All submitted receipts/invoices must include **all** of the following information:

- Date of purchase
- Name of provider/vendor (e.g., store name, name of the tutor/therapist who provided services to the student, etc.)
- Description of item or service purchased (e.g., type of therapy provided, itemized list of fees for private school)
- Amount of purchase

All invoices must have a zero balance or documentation showing that the invoice was paid. If an account holder fails to submit a valid receipt or invoice that includes all of the required information, the expense will be considered a misuse of funds and IEA funds will either be pulled from the IEA, withheld from future IEA payments, or, if no longer participating in the Program, the account holder will be required to repay the funds. Bank account statements do not qualify as receipts. The department encourages account holders to save digital copies of all receipts.

Reminder:

- All account holders are required to submit four expense reports per participating contract year, even if \$0 was spent during a quarter, in accordance with the rules and procedures set for the Program.
- If the account holder has spent zero IEA funds in a quarter, a signed expense report must still be submitted, indicating in the "Additional Comments" section of the expense report that zero dollars were spent in that quarter.

Reporting Expenses for Tuition, Fees, and/or Required Textbooks at a Participating Private School

If an account holder used IEA funds to make a payment to a participating private school for tuition, fees, and/or required textbooks, **all** of the following must be included on the expense report:

- Name of the IEA participating school (do not use “tuition” or “private school”) that matches the name on the list of IEA participating schools posted on the IEA webpage
- Itemized description/list of tuition and fees (e.g., class names, fee type)
- Date of service (e.g., dates for which tuition covered)
- Date of purchase
- Amount paid for the quarter with your IEA debit card

Please do not indicate the total amount of the school tuition or include personal funds used. **Include only the amount charged on the IEA debit card.** If fees were charged by the private school, account holders must submit an itemized receipt that includes the cost of the fee and a description of the fee (e.g., registration fees, test administration fees, etc.).

If an account holder uses IEA funds to pay for textbooks required by the private school, the account holder must submit a [Participating Schools Required Textbooks Affidavit Form](#) **before** the expense report is submitted and must list the required textbook expenses in the appropriate category on the expense report for the reporting period in which the funds were spent.

Along with the expense report, the account holder must submit a completed (detailed) invoice from the school. If the expense is for tuition, the receipt must state ‘tuition’. All fees must be itemized on the receipt (i.e., listed individually).

Expense Report Example:

Tuition for a Participating Private School	
Participating School Name:	ABC Private School
Tuition Amount:	\$3,290.15
Months for which the tuition covered:	mm/dd/yyyy
Date of Purchase:	mm/dd/yyyy
Fees for a Participating Private School	
Participating School Name:	ABC Private School
Fee Description:	Science Lab fee
Fee Amount:	\$100.00
Date of Purchase:	mm/dd/yyyy
Textbooks REQUIRED by a Participating School	
Participating School Name:	ABC Private School
Textbook Name:	Volunteer Reading
Amount:	\$89.00
Date Participating Schools Required Textbooks Affidavit Form was Submitted:	mm/dd/yyyy
Date of Purchase:	mm/dd/yyyy

Reporting Expenses for Educational Therapy Services

If an account holder used IEA funds to pay for educational therapy services, **all** of the following must be included on the expense report:

- Name of the therapist
- Name of Business/Organization (if applicable)
- Date that the Educational Therapies and Services Pre-Approval & Agreement Form was approved by the department
- Date of service(s)
- Date of purchase (i.e., date the services were paid for)
- Total amount of IEA funds used to pay for the therapy services

Reminder:

Account holders must submit the [Educational Therapies and Services Preapproval Agreement Form](#) to the department and receive approval before therapy services are provided and before IEA funds are used to pay for the services. The name of the provider (e.g., therapist) on the receipt who is providing the services must be the same as the name on the pre-approval form that is approved by the department. The department does not pre-approve therapy organizations, only individual therapists, so the name of the therapist listed on the pre-approval form must be the same name as the name of the therapist providing the services listed on the receipt and expense report.

Along with the expense report, the account holder must submit a completed (detailed) invoice from the therapist. **The total amount paid must match the amount charged to the IEA debit card.** If an account holder pre-pays for services (e.g., educational therapy), the account holder must report the amount pre-paid on the expense report for the quarter that the IEA funds were spent *and* include a receipt detailing when the services were rendered in the expense report for that quarter. The dates of service must be listed on the receipt (for detailed information, see Chapter 6).

Expense Report Example:

Educational Therapy Services	
<i>Therapist Name::</i>	<i>Dr. John Smith</i>
<i>Name of Business/Organization (if applicable):</i>	<i>Volunteer Therapy, Inc.</i>
<i>Date that the Educational Therapies and Services Preapproval Agreement Form was approved by the department:</i>	<i>mm/dd/yyyy</i>
<i>Total Amount:</i>	<i>\$1,500.00</i>
<i>Date(s) of Purchase:</i>	<i>mm/dd/yyyy</i>
<i>Date (s) of Service:</i>	<i>mm/dd/yyyy</i>

Reporting Expenses for Tutoring Services

If an account holder used IEA funds to pay for tutoring services, **all** of the following must be included on the expense report:

- Name of the tutor
- Name of the tutoring facility (if applicable)
- Date Tutoring Services Agreement Form was approved by the department
- Date(s) of services
- Date of purchase (i.e., date the services were paid for)
- Total amount of IEA funds used to pay for the tutoring services

Account holders must submit a [Tutoring Services Pre-Approval & Agreement Form](#) to the department and receive approval **before** IEA funds may be used to pay for tutoring services. The name of the provider (e.g., tutor or tutoring facility) on the receipt who is providing the services must be the same as the name listed on the pre-approval form that is approved by the department.

Along with the expense report, the account holder must submit a complete (detailed) invoice from the tutor or tutoring facility. If an account holder pre-pays for tutoring services, the account holder must report the amount pre-paid on the expense report for the quarter that the IEA funds were spent *and* include a receipt detailing when the services were rendered in the expense report for that quarter. The dates of service must be listed on the receipt (for detailed information, see Chapter 6).

Expense Report Example:

Tutoring Services	
<i>Tutor Name:</i>	<i>Susie Jones</i>
<i>Tutoring Facility Name:</i>	<i>XYZ Tutoring Center</i>
<i>Date Tutoring Services Agreement Form was approved by the department:</i>	<i>mm/dd/yyyy</i>
<i>Tutoring Subject(s)</i>	<i>Algebra I</i>
<i>Total Amount:</i>	<i>\$257.34</i>
<i>Date(s) of Purchase:</i>	<i>mm/dd/yyyy</i>
<i>Date(s) of Service</i>	<i>mm/dd/yyyy</i>

Reporting Curriculum Expenses

If an account holder used IEA funds to purchase curriculum, **all** of the following must be included on the expense report:

- Name of the curriculum
- Link to a webpage that describes the curriculum
- Subject area
- Date of purchase
- Total amount spent on curriculum
- Date Curriculum Pre-Approval Form was approved by the department (if applicable)

If the account holder purchased supplemental materials, the following information would also need to be reported on the expense report:

- Itemized list of the name(s) of supplemental materials required by the curriculum (if applicable)
- List of link(s) to webpage(s) that describes the supplemental materials (if applicable)
- Link to webpage that shows the curriculum requires the supplemental materials (if applicable)
- List of date(s) of purchase of each supplemental material (if applicable)
- Total amount spent on supplemental materials

Along with the expense report, account holders must submit an itemized **receipt for all purchases**.

If the expense is an online learning program or course, the expense is required to meet the department requirements for an online learning program/course (see Chapter 5 of this handbook) and must be listed in that section of the expense report.

Expense Report Example:

Curriculum	
<i>Name of Curriculum:</i>	ABC Algebra Basics
<i>Link to webpage that describes the curriculum:</i>	http://abcalgebrabasics.com
<i>Subject Area:</i>	Algebra
<i>Date of Purchase:</i>	mm/dd/yyyy
<i>Total amount spent on Curriculum:</i>	\$450.98

Curriculum – Supplemental Materials	
<i>Itemized List of the Name(s) of Supplemental Materials Required by the Curriculum (if applicable):</i>	ABC Algebra Workbook
<i>List of Link(s) to Webpage(s) that Describes the Supplemental Materials (if applicable): *The account holder may attach copies of the curriculum text that show that the materials are required; the copies must also include the front cover of the curriculum.</i>	http://abcalgebrabasics.com/ABCworkbook
<i>List of Date(s) of Purchase of Each Supplemental material (if applicable):</i>	mm/dd/yyyy
<i>Total amount spent on Curriculum:</i>	\$450.98

Reporting Computer Hardware and Technological Device Expenses

If an account holder used IEA funds to purchase a computer hardware/technological device, **all** of the following information must be included on the expense report:

- Name of the computer hardware/technological device
- Date the department approved the Computer Hardware/Technological Device Pre-Approval Form
- Date of purchase
- Total amount of IEA funds used to pay for the computer hardware/technological device

Along with the expense report, the account holder must submit a detailed, itemized receipt.

Reminder:

Before purchasing computer hardware/technological devices using IEA funds, account holders must receive pre-approval from the department (see Chapter 5 for more information).

Expense Report Example:

Computer Hardware/Technological Devices	
Name of Computer Hardware/ Technological Device:	ABC 17" Laptop
Date the department approved the Computer Hardware/Technological Device Pre-Approval Form, or Date the department sent the notification that the Technological Devices Physician Pre- Approval Form completed by a licensed treating physician has been received by the department:	mm/dd/yyyy
Date of Purchase:	mm/dd/yyyy
Amount:	\$429.99

Reporting Test Fee Expenses

All of the following must be included on the expense report if test fees were paid for with IEA funds:

- Name of test
- Date of purchase
- Name of the company the assessment was purchased from and/or who administered the assessment, including online
- Total amount of IEA funds used to pay for the test fees

Testing fees for TCAP assessments, norm-referenced tests, and college placement tests must be itemized on the IEA Expense Report. Along with the expense report, account holders must submit an itemized receipt.

Expense Report Example:

Test Fees	
Name of Test:	ACT
Name of the company the test was purchased from:	mm/dd/yyyy
Name of facility/test site that administered the test (including online):	Volunteer Testing, Inc.
Date of Purchase:	mm/dd/yyyy
Amount:	\$100.00

Reporting Expenses for Tuition/Fees for Online Learning Program/Courses

If an account holder used IEA funds to make a payment to pay for tuition/fees for an online learning program/course, **all** of the following must be included on the expense report:

- Name of the private school/organization/company providing the program/course
- Online program/course name
- Date of purchase
- Amount paid for the quarter using the IEA debit card
- Date Online Learning Program/Course Pre-Approval Form was approved by the department (if applicable)

Along with the expense report, the account holder must submit a complete (detailed) invoice from the private school, organization, or company providing the program/course.

Reminder:

This section only applies to tuition/fees for **part-time enrollment** in an online learning course or program. To report full-time enrollment in an online learning program using IEA funds, the organization/school providing the program **must be a participating private school in the IEA Program**, and the expense must be reported in the "Tuition, Fees, and/or Required Textbooks at a Participating Private School" section of the expense report. Curriculum materials purchased with IEA funds for use in an online learning program or course would follow the expense report submission guidelines for curriculum and must be reported in the "Curriculum" section of the expense report.

Expense Report Example:

Tuition/Fees for Online Learning Course/Program	
<i>Name of the Private School/Program/Organization Providing the Program/Course:</i>	<i>ABC Online School</i>
<i>Online Program/Course Name:</i>	<i>Volunteer Algebra I Online Course</i>
<i>Date of Purchase:</i>	<i>mm/dd/yyyy</i>
<i>Amount:</i>	<i>\$150.00</i>
<i>Date Online Learning Program/Course Pre- Approval Form was approved by the department (if applicable):</i>	<i>mm/dd/yyyy</i>

Reporting Expenses for Public School Services

If an account holder contracts with a public school district to provide services (including individual classes and extracurricular programs), each service will need to be listed on the IEA expense report for the quarter in which services were paid using IEA funds.

If the account holder used IEA funds to pay for public school services, **all** of the following must be included on the expense report:

- Name of the public school
- Name of public school district
- Description of the service/fee
- Date of purchase
- Amount paid for the quarter using the IEA debit card

Along with the expense report, the account holder must submit a **receipt** and a **copy of the contract for services** with the public school district.

Expense Report Example:

Public School Services	
<i>School Name:</i>	<i>ABC Public School</i>
<i>School District Name:</i>	<i>ABC Public School District</i>
<i>Description of the Service or Fee*:</i>	<i>Tuition for Algebra I course for Fall semester (year)</i>
<i>Amount:</i>	<i>\$1500.00</i>
<i>Date of Purchase:</i>	<i>mm/dd/yyyy</i>

Reporting Expenses for Tuition, Fees, and/or Required Textbooks at a Post-secondary Institution

If an account holder used IEA funds to make a payment to an eligible post-secondary institution for tuition, fees, and/or required textbooks, **all** of the following must be included on the expense report:

- name and address of the post-secondary institution;
- name of the accrediting organization;
- itemized description/list of tuition and fees (e.g., class names, fee type);
- date of purchase; and
- amount paid for the quarter with your IEA debit card

All invoices must have a zero balance or documentation showing that the invoice was paid.

Please do not indicate the total amount of the tuition or include personal funds used. **Include only the amount charged on the IEA debit card.** If fees were charged by the post-secondary institution, the account holder must submit an itemized receipt that includes the cost of the fee and a description of the fee (e.g., registration fees, lab fees, test administration fees, etc.).

If an account holder uses IEA funds to pay for textbooks required by the post-secondary institution, the account holder must submit a [Participating Schools Required Textbooks Affidavit Form](#) **before** the expense report is submitted and must list the required textbook expenses in the appropriate category on the expense report for the reporting period in which the funds were spent.

Along with the expense report, the account holder must submit a complete (detailed) invoice from the institution. Expenses for tuition must state “tuition” on the receipt or invoice and all fees must be itemized on the receipt or invoice (i.e., listed individually).

Expense Report Example:

Post-secondary School Tuition and Fees	
<i>Post-secondary Institution Name:</i>	<i>ABC Private School</i>
<i>Post-secondary Institution Address:</i>	<i>123 IEA Lane Nashville, TN 37345</i>
<i>Is the institution private or public?</i>	<i>Public</i>
<i>Itemized Description/List of Tuition and Fees (e.g., class names, fee type):</i>	<i>Tuition for Algebra I course for Fall semester (year)</i>
<i>Amount:</i>	<i>\$3,290.15</i>
<i>Date of Purchase:</i>	<i>mm/dd/yyyy</i>
Textbooks REQUIRED by a Post-secondary Institution	
<i>Post-secondary Institution Name:</i>	<i>ABC Private School</i>
<i>Textbook Name:</i>	<i>Algebra I</i>
<i>Amount:</i>	<i>\$159.00</i>
<i>Date of Purchase:</i>	<i>mm/dd/yyyy</i>
<i>Date Participating Schools Required Textbooks Affidavit Form was Submitted:</i>	<i>mm/dd/yyyy</i>

Reporting Transportation Expenses

If an account holder used IEA funds to pay for transportation expenses, **all** of the following must be included on the expense report:

- Name of transportation provider (avoid vague terms such as “bus” or “taxi service.”)
- Destination name (e.g., name of provider, name of school)
- Date of transportation
- Total amount of IEA funds used to pay for the transportation

Please do not include personal funds used. Include only the amount charged on the IEA debit card.

Along with the expense report, the account holder must submit complete (detailed) receipts from the transportation providers. Expenses for transportation must state “tuition” on the receipts and all fees must be itemized on the receipts. The receipts must list the address of the school/educational provider or location where the student is being transported from/to, and the total amount of IEA funds used to pay for the transportation. If using IEA funding to pay for bus transportation, it is recommended that the account holder purchase a bus pass (as opposed to paying the bus fare on the bus) to generate a receipt of the funds expended.

Expense Report Example:

Transportation Fees	
<i>Name of Transportation Provider:</i>	<i>Nashville MTA</i>
<i>Date of Purchase:</i>	<i>mm/dd/yyyy</i>
<i>Destination:</i>	<i>ABC Private School</i>
<i>Amount:</i>	<i>\$58.50</i>

Reporting Achieving a Better Life Experience (ABLE) Account Contributions

If an account holder used IEA funds to make a contribution to an ABLE TN savings account, **all** of the following must be included on the expense report:

- ABLE account number
- Date the IEA ABLE Contribution Form was approved by the department
- ABLE IEA identification number
- Date(s) of contribution(s)
- Total amount of IEA funds contributed to the account for that quarter

With submission of the expense report, the account holder must provide proof of deposit for the ABLE contribution (e.g., include the entire ABLE TN statement that lists a contribution(s) to the ABLE TN account). ABLE contributions should only be reported after they have been deposited into the ABLE account. The information listed on the expense report must match the what was submitted on the [ABLE TN Contribution Request for IEA Account Holders Form](#).

Account holders have ten business days after receiving the IEA check to deposit the funds into the ABLE account. If the account holder has not deposited the IEA check into the ABLE account by the last date of an expense report deadline, the funds must be reported on the next quarter's expense report. Any IEA checks for ABLE funds that are received and not deposited into the ABLE account will be considered misspent.

Reminder:

All IEA funds must be deposited into an IEA ABLE TN account number ending in -02. If the ABLE account number does not end in -02, the account holder must contact ABLE TN to request this change prior to any IEA fund deposits (see Chapter 5 of this handbook for more information). For ABLE TN Contributions to be an approved use of funds, IEA account holders must follow the ABLE TN's guidance regarding depositing IEA funds into an ABLE TN account. For more information, see <http://abletn.gov/IEA.html>.

Expense Report Example:

ABLE TN Account Contributions	
Date the ABLE TN Contribution Request for IEA Account Holders Form was approved by the department:	<i>mm/dd/yyyy</i>
<i>Last Five Digits of ABLE Account Number:</i>	<i>56789</i>
<i>ABLE IEA Identification Number:</i>	<i>12345</i>
<i>Date of Contribution(s):</i>	<i>mm/dd/yyyy, mm/dd/yyyy</i>
<i>Total Amount of ABLE Contribution(s) this Quarter:</i>	<i>\$1,000.00, \$500.00</i>

Reporting Coverdell Education Savings Account Contributions

If an account holder used IEA funds to make a contribution to a Coverdell Education Savings account, **all** of the following must be included on the expense report:

- Name of financial institution
- Date the IEA Coverdell Contribution Form was approved by the department
- Last five digits of Coverdell account number
- Date(s) of contribution(s)
- Total amount of IEA funds contributed to the account

With submission of the expense report, the account holder must provide proof of deposit for the Coverdell contribution (e.g., include the entire Coverdell statement that lists a contribution(s) to the Coverdell account). Coverdell contributions should only be reported after they have been deposited into the Coverdell account. The information listed on the expense report must match what was submitted on the [IEA Coverdell Contribution Request Form](#).

Account holders have ten business days after receiving the IEA check to deposit the funds into the Coverdell account. If the account holder has not deposited the IEA check into the Coverdell account by the last date of an expense report deadline, the funds must be reported on the next quarter's expense report. Any IEA checks for Coverdell funds that are received and not deposited into the Coverdell account will be considered misspent.

Expense Report Example:

530 Coverdell ESA Contributions	
<i>Financial Institution Name:</i>	<i>ABC Bank</i>
<i>Last Five Digits of Coverdell Account Number:</i>	<i>12345</i>
<i>Date the IEA Coverdell Contribution Form was approved by the department:</i>	<i>mm/dd/yyyy</i>
<i>Date(s) of Contribution(s)</i>	<i>mm/dd/yyyy, mm/dd/yyyy</i>
<i>Total Amount of ABL Contribution(s) this Quarter:</i>	<i>\$1,000.00, \$500.00</i>

Reminder:

If an account holder chooses to open either an ABL-TN or Coverdell account in order to meet the statutory 50% spending requirement for the contract year, requests to open such accounts must be received by the department no later than 30 days prior to submission of the final expense report of the contract year in order to allow time for the account holder to receive and deposit the funds and then provide proof of deposit submitted with the final expense report.

Reporting Fees Associated with Use of the IEA Debit Card

There are currently no debit card fees for the IEA Program. However, if a merchant or provider charges a fee for using the IEA debit card to process the transaction (e.g., debit card processing fee), the account holder must include the fee (with the cost of the approved expense) on the expense report. For example: if a participating school charged a \$100 debit card processing fee on a \$1,000 tuition charge, the account holder would report \$1,100.00 under "Tuition and Fees at a Participating School".

Expense Report Example:

Debit Card Fees for Using the IEA Debit Card	
Description of Fee:	Debit Card Processing Fee
Amount (must include any taxes, shipping & handling fees, and any additional processing fees)	\$5.00
Date of purchase for which fee was charged:	mm/dd/yyyy

Reporting Disallowed Expenses

If an account holder uses IEA funds to pay for non-approved expenses, the expenses are considered a misuse of funds. In this case, the account holder should immediately notify the department at IEA.Questions@tn.gov and the account holder must report such expenses in the "Disallowed Expenses" section of the expense report for the quarter in which the funds were spent. In addition, the non-approved expenses must be repaid following the process outlined in Chapter 4 of this handbook. **Pursuant to the rules of the State Board of Education, and in accordance with the procedures of the department, an account holder who misuses IEA funds is subject to removal from the IEA Program.**

If an account holder uses IEA funds to pay for non-approved expenses, **all** of the following must be included on the expense report:

- Description of the expense
- Date of purchase
- Date the account holder reported misuse of funds to the department (notifications must be emailed to IEA.Questions@tn.gov)
- Total amount of IEA funds misused

Expense Report Example:

Disallowed Expenses	
<i>Expense description:</i>	<i>ABC Theme Park Admission Ticket</i>
<i>Amount (must include any taxes, shipping & handling fees, and any additional processing fees)</i>	<i>\$75.00</i>
<i>Date of purchase:</i>	<i>mm/dd/yyyy</i>
<i>Date of notification to the department via email (IEA.Questions@tn.gov)</i>	<i>mm/dd/yyyy</i>

Chapter 8: Exiting the IEA Program

A student may exit the IEA Program in one of four ways:

- Voluntary withdrawal – the account holder chooses to withdraw the student from the IEA Program;
- Non-renewal of the IEA – the account holder chooses not to submit an IEA renewal student application or renew the *IEA Account Holder Contract* for the next school year;
- Completion of the IEA Program – the student exits the IEA Program because he/she graduates from high school (including passing the GED or HiSET) or attains 22 years of age by August 15, whichever occurs first; **or**
- Involuntary removal by the department – the student is removed from the IEA Program by the department.

If the student exits the IEA Program for any reason, the account holder must notify the IEA liaison of the LEA in which the student resides to provide notice that the student has exited the IEA Program.

Voluntary Withdrawal

An account holder may voluntarily withdraw a student from the IEA Program at any time during the contractual year. To withdraw a student from the IEA Program and close the IEA, the account holder must complete and submit an [IEA Student Withdrawal Form](#) to the department. Upon receiving the withdrawal form, the department will send the account holder written notice that the *IEA Account Holder Contract* has been terminated and that the student's IEA has been closed. Any balance of funds remaining on the IEA debit card **on the date of the student's withdrawal from the IEA Program** will be withdrawn from the account and returned to the state treasurer to be placed back into the state's education funding (BEP) account.

In addition, the account holder must complete and submit a final expense report, along with all supporting receipts and documentation, within 10 business days of the withdrawal date. Upon receiving the withdrawal form, the department will complete an audit of the account which will include review of the required final expense report and supporting documentation. If the department determines that IEA funds were misspent, the department will notify the account holder detailing the requirement to repay those funds, including information regarding the appeals process, if applicable.

Reminder:

Any expenditures of IEA funds after the date of withdrawal from the IEA Program is a misuse of funds. The department may refer cases of substantial misuse of monies to the Tennessee attorney general's office or the state comptroller's office for investigation and/or recoupment of outstanding funds.

Account holders should consider the following before choosing to withdraw a student from the IEA Program:

- The IEA Program has one enrollment application window each school year. If a student is withdrawn from the IEA Program, the student would be ineligible to enroll back into the IEA Program until the following school year, at which time the student would be considered a "New Student" and would be required to reapply and meet all IEA eligibility requirements at the time of application.

- All students must meet the compulsory school attendance requirements set by law. Tennessee law, [T.C.A. § 49-6-3001](#), requires all children ages 6–17 (inclusive) to attend school. Certain children ages 6–17 may be temporarily excused from school attendance if they meet the exceptions outlined in [T.C.A. § 49-6-3005](#); however, the local board of education "shall be the sole judge in all such cases." Upon withdrawing a child from the IEA Program, the account holder may choose to enroll the student in a public school, allow the student to remain enrolled in the non-public school the student is currently attending, or enroll the student in another non-public private or home school.
- If a student withdraws from the IEA Program and returns to a public school, the credits earned at the participating non-public school may not be accepted by the public school. **Participation in the IEA Program does not guarantee that credits earned at participating private and/or home schools will transfer to a public school.** The transfer of credits shall be in compliance with [TN SBE Rule 0520-01-03-.03](#). Testing may be required to receive credit for courses. Parents should contact the LEA in which the student resides to determine whether or not credits will transfer.

Enrollment in a Public School After Withdrawal from the IEA Program

If a student is withdrawn from the IEA Program, the student may return to public school. Upon a student's return to a public school (LEA), the following should occur:

- The student's IEA participating school must send the student's educational records to the public school in which the student enrolls; **and**
- The LEA that the student resides in must enroll the student and provide instruction in the **general education** curriculum.

Reminder:

If a student withdraws from the IEA Program and re-enrolls in an LEA, the student will be placed in **general education** and the student will not have an active IEP because the IEP became inactive when the student withdrew from public school and enrolled in the IEA Program. Upon re-enrolling the student in public school, the parent will need to submit, in writing, a request to the LEA for an evaluation for eligibility for special education and related services pursuant to IDEA. The LEA must treat the request as a request **for an initial evaluation** under 34 C.F.R. § 300.301. After receiving the request, the LEA must, within **sixty calendar days**, conduct an evaluation to determine eligibility. If the student is determined eligible, pursuant to 34 C.F.R. § 300.323(c)(1), the public school district must conduct a meeting to develop an IEP within **thirty calendar days** and make specialized instruction and related services available as soon as possible following development of the IEP.

Non-Renewal of the IEA

Account holders may choose not to renew the student's enrollment in the IEA Program. If an account holder has not submitted an [IEA Renewal Student Application](#), including all supporting documentation, by the deadlines posted on the IEA webpage and does not sign a new *IEA Account Holder Contract* for the new contractual year, the student's IEA will be closed by the end of the IEA contract term. Any funds remaining on the IEA debit card will be withdrawn from the account and returned to the state treasurer to be placed in the state's education funding account (BEP).

Reminder:

If an IEA is closed, any expenditures of IEA funds after the date of closure is a misuse of funds. The department may refer cases of substantial misuse of monies to the Tennessee attorney general's office or the state comptroller's office for investigation and/or recoupment of outstanding funds.

Note: Non-renewal of an *IEA Account Holder Contract* is not considered removal, and the student would be eligible to reapply to the IEA Program in the future if the student meets the eligibility requirements of the Program, pending no department determinations of fraudulent or misuse of funds. Upon a student's exit of the IEA Program, the department will complete an audit of the account which will include review of the required final expense report and supporting documentation. If the department determines that IEA funds were misspent, the department will notify the account holder detailing the requirement to repay those funds, including information regarding the appeals process, if applicable.

Completion of the IEA Program

A participating student is no longer eligible to remain in the IEA Program or eligible to receive IEA funding if either of the following occurs:

- The student graduates from high school. (Note: the student may continue in the Program until such time as he or she receives a high school diploma, or receives a passing score on all subtests of the General Education Development (GED) or High School Equivalency Test (HiSET). Certificates of attendance do not constitute graduation from high school for the purpose of this Program); or
- The student reaches twenty-two (22) years of age. (The student may complete the school year in which he or she reached the age of 22, provided the student does not turn 22 years old on or before Aug. 15, 2021, in order to remain enrolled in the IEA Program for the 2021-22 school year.)

After graduating from high school or reaching twenty-two (22) years of age, unused funds in an IEA from prior years can be used for the next four (4) consecutive years, provided the student attends or takes courses from an eligible post-secondary institution, and the expenditures are determined to be qualifying expenses (see Chapter 5 of this handbook for more information on post-secondary coursework).

Reminder:

If a student completes the IEA Program, the account holder must notify the IEA liaison of the LEA district in which the student resides to provide notice that the student has exited the program. Contact information for LEA liaisons for the IEA Program is posted on the IEA webpage.

Involuntary Removal by the Department

Pursuant to [SBE Rule 0520-01-11](#), the department may permanently remove any participating student from the IEA Program if the account holder fails to comply with the terms of the *IEA Account Holder Contract* or applicable laws, rules or procedures, or misuses IEA funds.

If the department makes a determination to remove a student from the IEA Program, the department will complete the following:

- Notify the account holder that the student is being removed from the IEA Program; and
- Freeze (suspend) the funds in the IEA account and provide no further fund disbursements.

If a student is removed from the IEA Program, the account holder must submit a final expense report to the department documenting all IEA funds expenditures since the last expense report was submitted, along with all supporting receipts and documentation, by the deadline stated in the removal notice.

If the department determines that IEA funds have been misspent, the department shall notify the account holder, and the account holder shall repay the misspent amount in the manner and within the timeframe set by the department. The department is authorized to freeze and/or withdraw funding directly from the student's IEA for reasons including, but not limited to, fraud, misuse of funds, account holder failure to comply with the terms of the state laws, rules, procedures, or the *IEA Account Holder Contract*, if the student returns to the LEA, or if funds were deposited into the account in error.

An account holder may appeal the department's decision to remove a participating student by following the appeals procedures of [SBE Rule 0520-01-11-.10](#) and as outlined below in this handbook.

Possible Reasons for IEA Termination

Students may be removed from the IEA Program for reasons including, but not limited to:

- failure to comply with the terms of the IEA Account Holder Contract or applicable laws, rules, or procedures;
- misuse of IEA funds;
- failure to report all expenditures of IEA funds following the requirements set by the department;
- full-time enrollment in a public school, including public charter schools and public virtual education programs;
- failure to submit expense reports and all required supporting documentation (e.g., receipts) by the deadlines set by the department;
- failure to provide for a participating student's instruction in the areas of English language arts, mathematics, social studies, and science;
- failure to submit assessment verification to the department showing that the participating student in grades 3–8 has taken either a nationally norm-referenced test(s) approved by the department or the TCAP test(s), or any future replacements of the TCAP test(s);
- providing false information to the department (application, contract, bank form, etc.);
- fraudulent activity;
- failure to notify the department of any updates to the information submitted in the application, renewal, and/or contract [including, but not limited to, the email address, residential address, school type (i.e., independent home school, private school), LEA the student resides in, and/or phone number of the account holder/student] within 15 calendar days of the change becoming effective;
- failure to submit any required documents by the deadlines set by the department.

Appeal Procedures: Request for Reconsideration

In accordance with [SBE Rule 0520-01-11-.10](#), an account holder may appeal any department decision regarding the following determinations:

- determination of eligibility;
- determination of misspent IEA funds; **and/or**
- removal of the student from the IEA Program.

To appeal a department decision, the account holder must complete the following:

- **Step 1:** Step One appeals shall be reviewed by the commissioner or commissioner's designee. Step One appeals must be submitted to the Department within fourteen (14) calendar days of the Department electronically sending the determination that is being appealed. The day that the Department sends the determination shall not count as part of the fourteen (14) calendar days. To file a step one appeal, complete the step 1 [UAPA Appeal Form](#) posted on the [IEA webpage](#) and email the completed form to IEA.Questions@tn.gov. Appeal forms submitted after the deadline, incomplete appeal forms, or appeal forms with vague language that does not clearly articulate the issue on appeal will not be reviewed. The Department shall make a determination and issue an electronic notification to the appealing party within forty-five (45) calendar days of receiving the Step One appeal.
- **Step 2:** If the Department denies the Step One appeal, the appealing party may file a Step Two appeal. Step Two appeals shall be reviewed by an administrative law judge in accordance with the procedures set forth in the Uniform Administrative Procedures Act, T.C.A. §§ 4-5-301 et seq. Step Two appeals must be submitted to the Department within thirty (30) calendar days of the Department electronically sending the Step One determination. The day that the Department sends the Step One determination shall not count as part of the thirty (30) calendar days. To file a UAPA appeal, please complete the [UAPA Appeal Form](#) posted on the [IEA webpage](#). After the UAPA appeal form has been submitted to the department, you will be notified by an administrative law judge who will set the date and time of your hearing.

Chapter 9: Quick Link References

- IEA webpage: <https://www.tn.gov/education/iea.html>
- Email address for IEA Questions: IEA.Questions@tn.gov
- IEA Program Key Dates: <https://www.tn.gov/education/iea/iea-key-dates.html>
- Tennessee State Board of Education (SBE) Rule for IEA Program - Chapter 0520-01-11: https://publications.tnsosfiles.com/rules/0520/0520-01/0520-01-11.20201208.pdf?mc_cid=1e5ee5da39&mc_eid=%5bUNIQID%5d
- Legal Guidance for Frequent Back to School Questions <https://www.tn.gov/content/dam/tn/education/legal/Top%20Back%20to%20School%20Legal%20Questions.PDF>
- UAPA appeal form: <https://www.tn.gov/education/iea/iea-parents-students/iea-applicant-appeals.html>
- Education Choices in Tennessee: <https://www.tn.gov/education/school-options.html>
- Tennessee Higher Education Commission on Post-secondary Education: <https://www.tn.gov/thec.html>
- Tennessee Bureau of Investigation (TBI): <https://www.tn.gov/tbi/divisions/cjis-division/background-%20checks.html>
- Federal Bureau of Investigation (FBI): <https://www.fbi.gov/services/cjis/identity-history-summary-checks>
- Tennessee Department of Health Abuse Registry: <https://www.tn.gov/didd/divisions/protection-from-harm/abuse-registry.html>
- Tennessee Bureau of Investigation Sex Offender Registry: <https://www.tn.gov/tbi/general-information/tennessee-sex-offender-registry.html>
- List of IEA Participating Schools: [https://www.tn.gov/content/dam/tn/education/iea/202021ParticipatingSchools%20\(1\)%20\(1\).pdf](https://www.tn.gov/content/dam/tn/education/iea/202021ParticipatingSchools%20(1)%20(1).pdf)
- IEA Participating Private School Handbook: https://www.tn.gov/content/dam/tn/education/iea/2020-21_IEA_PrivateSchoolHandbook-revised.docx
- Participating Schools Required Textbooks Affidavit Form: https://stateoftennessee.formstack.com/forms/participating_schools_required_textbooks_affidavit_form
- Computer Hardware and Technological Device Pre-Approval Request Form: https://stateoftennessee.formstack.com/forms/computer_hardware_and_technological_devices_preapproval_form
- Online Learning Program/Course Pre-Approval Request Form: https://stateoftennessee.formstack.com/forms/online_preapproval_request_form
- Post-secondary Institution Required Textbooks Affidavit Form: https://stateoftennessee.formstack.com/forms/postsecondary_institution_required_textbooks_affidavit_form

- ABLE TN Savings Account Information: <https://able.treasury.tn.gov/>
- ABLE TN Contribution Request for IEA Account Holders Form: https://stateofennessee.formstack.com/forms/able_tn_contribution_request_for_iea_account_holders
- Coverdell Savings Account Information: <http://www.irs.gov/publications/p970/ch07.html>
- IEA Coverdell Contribution Request Form: https://stateofennessee.formstack.com/forms/coverdell_education_savings_account_contribution_request_for_iea_account_holders
- IEA Quarterly Expense Report: https://stateofennessee.formstack.com/forms/iea_expense_report_202021_school_year
- Educational Therapies and Services Preapproval Agreement Form: https://stateofennessee.formstack.com/forms/educational_therapies_and_services_preapproval_agreement_form
- Tutoring Services Preapproval Agreement Form: https://stateofennessee.formstack.com/forms/tutoring_services_preapproval_agreement
- IEA Student Withdrawal Form: https://stateofennessee.formstack.com/forms/student_withdrawal_from_iea_program

Tennessee Code Annotated References

Tennessee Code: <https://www.tncourts.gov/Tennessee%20Code>

- Tennessee's School Attendance Law (T.C.A. § 49-6-3005)
- IEA Act, Tennessee Code Annotated (T.C.A. §49-10-14):

IEA Program Forms:

- IEA New Student Application (window projected to open Feb. 15 and close April 15 each year): https://stateofennessee.formstack.com/forms/202122_iea_student_application
- IEA Renewal Student Application (window projected to open Feb. 15 and close May 15 each year): https://stateofennessee.formstack.com/forms/202122_student_iea_renewal_application
- IEA Account Holder and Student Information Update Form: https://stateofennessee.formstack.com/forms/account_holder_and_student_information_update_form
- W-9 form: <https://www.irs.gov/pub/irs-pdf/fw9.pdf>
- Notice of School Transfer Form: https://stateofennessee.formstack.com/forms/name_of_school_transfer
- Student Assessment Verification Form: https://stateofennessee.formstack.com/forms/student_assessment_verification